

# HOUSE BILL No. 4767

July 14, 2015, Introduced by Reps. Kivela, McBroom, Heise, Irwin, Zemke, Moss, Graves, Aaron Miller, LaFontaine, Schor, Dianda, Pscholka, Lucido, Victory, Price, Nesbitt, Guerra, Hoadley and Kosowski and referred to the Committee on Criminal Justice.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7340c (MCL 333.7340c), as added by 2014 PA 217.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 7340c. (1) A person shall not solicit another person to  
2 purchase or otherwise obtain any amount of ephedrine or  
3 pseudoephedrine knowing that it is to be used for the purpose of  
4 illegally manufacturing methamphetamine.

5           (2) ~~A~~**EXCEPT AS PROVIDED IN SUBSECTION (3),** A person who  
6 violates this section is guilty of a felony punishable by  
7 imprisonment for not more than 10 years or a fine of not more than  
8 \$10,000.00, or both.

9           (3) **A PERSON WHO ATTEMPTS TO VIOLATE SUBSECTION (1) IS GUILTY**

1 OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1  
2 YEAR OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

3 (4) ~~(3)~~—This section does not prohibit the person from being  
4 charged with, convicted of, or sentenced for any other violation of  
5 law committed by the person while violating this section.

6 (5) ~~(4)~~—If a person is convicted of violating this section,  
7 the court shall report the violation to the department of state  
8 police.

9 (6) ~~(5)~~—For purposes of this section:

10 (a) "Ephedrine" includes the salts and isomers and salts of  
11 isomers of ephedrine.

12 (b) "Pseudoephedrine" includes the salts and isomers and salts  
13 of isomers of pseudoephedrine.

14 Enacting section 1. This amendatory act takes effect 90 days  
15 after the date it is enacted into law.