

HOUSE BILL NO. 5835

June 25, 2024, Introduced by Rep. Breen and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 13m (MCL 777.13m), as amended by 2016 PA 549.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 13m. This chapter applies to the following felonies
2 enumerated in chapter 333 of the Michigan Compiled Laws:

3 **M.C.L.** **Category** **Class Description** **Stat Max**

1	333.7340	CS	F	Sale, distribution, or	4
2				delivery of product	
3				containing ephedrine	
4				or pseudoephedrine by	
5				mail, internet, or	
6				telephone	
7	333.7340c(2)	CS	D	Soliciting another	10
8				person to purchase or	
9				obtain ephedrine or	
10				pseudoephedrine to	
11				manufacture	
12				methamphetamine	
13	333.7341(8)	CS	G	Delivery or	2
14				manufacture of	
15				imitation controlled	
16				substance	
17	333.7401(2)(a)(i)	CS	A	Delivery or	Life
18				manufacture of 1,000	
19				or more grams of	
20				certain schedule 1 or	
21				2 controlled	
22				substances	
23	333.7401(2)(a)(ii)	CS	A	Delivery or	30
24				manufacture of 450 or	
25				more but less than	
26				1,000 grams of certain	
27				schedule 1 or 2	
28				controlled substances	

1	333.7401 (2) (a) (iii) CS	B	Delivery or	20
2			manufacture of 50 or	
3			more but less than 450	
4			grams of certain	
5			schedule 1 or 2	
6			controlled substances	
7	333.7401 (2) (a) (iv) CS	D	Delivery or	20
8			manufacture of less	
9			than 50 grams of	
10			certain schedule 1 or	
11			2 controlled	
12			substances	
13	333.7401 (2) (b) (i) CS	B	Delivery or	20
14			manufacture of	
15			methamphetamine or 3,	
16			4-	
17			methylenedioxymethamph	
18			etamine	
19	333.7401 (2) (b) (ii) CS	E	Delivery or	7
20			manufacture of certain	
21			schedule 1, 2, or 3	
22			controlled substances	
23	333.7401 (2) (c) CS	F	Delivery or	4
24			manufacture of	
25			schedule 4 controlled	
26			substance	

1	333.7401 (2) (d) (i) CS	C	Delivery or	15
2			manufacture of 45 or	
3			more kilograms of	
4			marihuana or synthetic	
5			equivalents of	
6			marihuana	
7	333.7401 (2) (d) (ii) CS	D	Delivery or	7
8			manufacture of 5 or	
9			more but less than 45	
10			kilograms of marihuana	
11			or synthetic	
12			equivalents of	
13			marihuana	
14	333.7401 (2) (d) (iii) CS	F	Delivery or	4
15			manufacture of less	
16			than 5 kilograms or 20	
17			plants of marihuana or	
18			synthetic equivalents	
19			of marihuana	
20	333.7401 (2) (e) CS	G	Delivery or	2
21			manufacture of	
22			schedule 5 controlled	
23			substance	
24	333.7401 (2) (f) CS	D	Delivery or	7
25			manufacture of a	
26			prescription form or	
27			counterfeit	
28			prescription form	

1	333.7401 (2) (g)	CS	E	Delivery or	5
2				manufacture of	
3				xylazine for illicit	
4				use	
5	333.7401a	Person	B	Delivering a	20
6				controlled substance	
7				or GBL with intent to	
8				commit criminal sexual	
9				conduct	
10	333.7401b (3) (a)	CS	E	Delivery or	7
11				manufacture of GBL	
12	333.7401b (3) (b)	CS	G	Possession of GBL	2
13	333.7401c (2) (a)	CS	D	Operating or	10
14				maintaining controlled	
15				substance laboratory	
16	333.7401c (2) (b)	CS	B	Operating or	20
17				maintaining controlled	
18				substance laboratory	
19				in presence of minor	
20	333.7401c (2) (c)	CS	B	Operating or	20
21				maintaining controlled	
22				substance laboratory	
23				involving hazardous	
24				waste	
25	333.7401c (2) (d)	CS	B	Operating or	20
26				maintaining controlled	
27				substance laboratory	
28				near certain places	

1	333.7401c(2)(e)	CS	A	Operating or	25
2				maintaining controlled	
3				substance laboratory	
4				involving firearm or	
5				other harmful device	
6	333.7401c(2)(f)	CS	B	Operating or	20
7				maintaining controlled	
8				substance laboratory	
9				involving	
10				methamphetamine	
11	333.7402(2)(a)	CS	D	Delivery or	10
12				manufacture of certain	
13				counterfeit controlled	
14				substances	
15	333.7402(2)(b)	CS	E	Delivery or	5
16				manufacture of	
17				schedule 1, 2, or 3	
18				counterfeit controlled	
19				substance	
20	333.7402(2)(c)	CS	F	Delivery or	4
21				manufacture of	
22				counterfeit schedule 4	
23				controlled substance	
24	333.7402(2)(d)	CS	G	Delivery or	2
25				manufacture of	
26				counterfeit schedule 5	
27				controlled substance	

1	333.7402 (2) (e)	CS	C	Delivery or	15
2				manufacture of	
3				controlled substance	
4				analogue	
5	333.7403 (2) (a) (i)	CS	A	Possession of 1,000 or	Life
6				more grams of certain	
7				schedule 1 or 2	
8				controlled substances	
9	333.7403 (2) (a) (ii)	CS	A	Possession of 450 or	30
10				more but less than	
11				1,000 grams of certain	
12				schedule 1 or 2	
13				controlled substances	
14	333.7403 (2) (a) (iii)	CS	B	Possession of 50 or	20
15				more but less than 450	
16				grams of certain	
17				schedule 1 or 2	
18				controlled substances	
19	333.7403 (2) (a) (iv)	CS	G	Possession of 25 or	4
20				more but less than 50	
21				grams of certain	
22				schedule 1 or 2	
23				controlled substances	
24	333.7403 (2) (a) (v)	CS	G	Possession of less	4
25				than 25 grams of	
26				certain schedule 1 or	
27				2 controlled	
28				substances	

1	333.7403 (2) (b) (i)	CS	D	Possession of	10
2				methamphetamine or 3,	
3				4-	
4				methylenedioxyamph	
5				etamine	
6	333.7403 (2) (b) (ii)	CS	G	Possession of certain	2
7				schedule 1, 2, 3, or 4	
8				controlled substances	
9				or controlled	
10				substances analogue	
11	333.7403 (2) (f)	CS	E	Possession of xylazine	5
12				for illicit use	
13	333.7403a	CS	F	Fraudulently obtaining	4
14	333.7403a (4) (a)			controlled substance	
15				or prescription for	
16				controlled substance	
17	333.7403a (4) (b)	CS	E	Fraudulently obtaining	5
18				xylazine for illicit	
19				use	
20	333.7405 (1) (a)	CS	G	Controlled substance	2
21				violations by licensee	
22	333.7405 (1) (b)	CS	G	Manufacturing or	2
23				distribution	
24				violations by licensee	
25	333.7405 (1) (c)	CS	G	Refusing lawful	2
26				inspection	
27	333.7405 (1) (d)	CS	G	Maintaining drug house	2

1	333.7405 (1) (e)	CS	G	Unlawfully dispensing	2
2				out-of-state	
3				prescription	
4	333.7407 (1) (a)	CS	G	Controlled substance	4
5				violations by licensee	
6	333.7407 (1) (b)	CS	G	Use of fictitious,	4
7				revoked, or suspended	
8				license number	
9	333.7407 (1) (c)	CS	G	Obtaining controlled	4
10				substance by fraud	
11	333.7407 (1) (d)	CS	G	False reports under	4
12				controlled substance	
13				article	
14	333.7407 (1) (e)	CS	G	Possession of	4
15				counterfeiting	
16				implements	
17	333.7407 (1) (f)	CS	F	Disclosing or	4
18				obtaining prescription	
19				information Possession	
20				of a counterfeit	
21				prescription form	
22	333.7407 (1) (g)	CS	F	Possession of	4
23				counterfeit	
24				prescription form	
25	333.7407 (2)	CS	G	Refusing to furnish	4
26				records under	
27				controlled substance	
28				article	

1	333.7410a	CS	G	Controlled substance	2
2				offense or offense	
3				involving GBL in or	
4				near a park	
5	333.7417	CS	F	Sell or offer to sell	4
6				named product	
7				producing same or	
8				similar effect as	
9				scheduled ingredient	
10	333.7455(1)(a)	CS	E	Sell or offer to sell	5
11				certain objects for	
12				the illicit use of	
13				xylazine	

14 Enacting section 1. This amendatory act does not take effect
15 unless Senate Bill No.____ or House Bill No. 5834 (request no.
16 05394'24) of the 102nd Legislature is enacted into law.