

# SENATE BILL No. 698

September 16, 2003, Introduced by Senator BISHOP and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2002 PA 711.

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

1 CHAPTER XVII

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

4	<u>M.C.L.</u>	<u>Category</u>	<u>Class</u>	<u>Description</u>	<u>Stat</u>	<u>Max</u>
5	333.7341(8)	CS	G	Delivery or manufacture		
6				of imitation controlled		
7				substance	2	
8	333.7401(2)(a)(i)	CS	A	Delivery or manufacture		
9				of 1,000 or more grams		
10				of certain schedule 1		
11				or 2 controlled		
12				substances		Life
13	333.7401(2)(a)(ii)	CS	A	Delivery or manufacture		

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1				of 450 or more but less	
2				than 1,000 grams of	
3				certain schedule 1 or 2	
4				controlled substances	30
5	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture	
6				of 50 or more but less	
7				than 450 grams of	
8				certain schedule 1 or 2	
9				controlled substances	20
10	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture	
11				of less than 50 grams	
12				of certain schedule 1	
13				or 2 controlled	
14				substances	20
15	333.7401(2)(b)(i)	CS	B	Delivery or manufacture	
16				of methamphetamine or	
17				3,	
18				4-methylenedioxymethamphetamine	
19					20
20	333.7401(2)(b)(ii)	CS	E	Delivery or manufacture	
21				of certain schedule 1,	
22				2, or 3 controlled	
23				substances	7
24	333.7401(2)(c)	CS	F	Delivery or manufacture	
25				of schedule 4	
26				controlled substance	4
27	333.7401(2)(d)(i)	CS	C	Delivery or manufacture	
28				of 45 or more kilograms	
29				of marijuana	15
30	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture	
31				of 5 or more but less	
32				than 45 kilograms of	
33				marijuana	7
34	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture	
35				of less than 5	
36				kilograms or 20 plants	
37				of marijuana	4
38	333.7401(2)(e)	CS	G	Delivery or manufacture	
39				of schedule 5	
40				controlled substance	2
41	333.7401(2)(f)	CS	D	Delivery or manufacture	
42				of an official or	

1				counterfeit	
2				prescription form	20
3	333.7401(2)(g)	CS	D	Delivery or manufacture	
4				of prescription or	
5				counterfeit form (other	
6				than official)	7
7	333.7401a	Person	B	Delivering a controlled	
8				substance or GBL with	
9				intent to commit	
10				criminal sexual conduct	20
11	333.7401b(3)(a)	CS	E	Delivery or manufacture	
12				of GBL	7
13	333.7401b(3)(b)	CS	G	Possession of GBL	2
14	333.7401c(2)(a)	CS	D	Operating or maintaining	
15				controlled substance	
16				laboratory	10
17	333.7401c(2)(b)	CS	B	Operating or maintaining	
18				controlled substance	
19				laboratory in presence	
20				of minor	20
21	333.7401c(2)(c)	CS	B	Operating or maintaining	
22				controlled substance	
23				laboratory involving	
24				hazardous waste	20
25	333.7401c(2)(d)	CS	B	Operating or maintaining	
26				controlled substance	
27				laboratory near certain	
28				places	20
29	333.7401c(2)(e)	CS	A	Operating or maintaining	
30				controlled substance	
31				laboratory involving	
32				firearm or other	
33				harmful device	25
34	<b>333.7401c(2)(f)</b>	<b>CS</b>	<b>B</b>	<b>Operating or maintaining</b>	
35				<b>controlled substance</b>	
36				<b>laboratory involving</b>	
37				<b>methamphetamine</b>	<b>20</b>
38	333.7402(2)(a)	CS	D	Delivery or manufacture	
39				of certain imitation	
40				controlled substances	10
41	333.7402(2)(b)	CS	E	Delivery or manufacture	

1				of schedule 1, 2, or 3	
2				imitation controlled	
3				substance	5
4	333.7402(2)(c)	CS	F	Delivery or manufacture	
5				of imitation schedule 4	
6				controlled substance	4
7	333.7402(2)(d)	CS	G	Delivery or manufacture	
8				of imitation schedule 5	
9				controlled substance	2
10	333.7402(2)(e)	CS	C	Delivery or manufacture	
11				of controlled substance	
12				analogue	15
13	333.7403(2)(a)(i)	CS	A	Possession of 1,000 or	
14				more grams of certain	
15				schedule 1 or 2	
16				controlled substances	Life
17	333.7403(2)(a)(ii)	CS	A	Possession of 450 or more	
18				but less than 1,000	
19				grams of certain	
20				schedule 1 or 2	
21				controlled substances	30
22	333.7403(2)(a)(iii)	CS	B	Possession of 50 or more	
23				but less than 450 grams	
24				of certain schedule 1	
25				or 2 controlled	
26				substances	20
27	333.7403(2)(a)(iv)	CS	G	Possession of 25 or more	
28				but less than 50 grams	
29				of certain schedule 1	
30				or 2 controlled	
31				substances	4
32	333.7403(2)(a)(v)	CS	G	Possession of less than	
33				25 grams of certain	
34				schedule 1 or 2	
35				controlled substances	4
36	333.7403(2)(b)(i)	CS	D	Possession of	
37				methamphetamine or 3,	
38				4-methylenedioxymethamphetamine	
39					10
40	333.7403(2)(b)(ii)	CS	G	Possession of certain	
41				schedule 1, 2, 3, or 4	
42				controlled substances	
43				or controlled	

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1				substances analogue	2
2	<del>333.7403(2)(e)</del>	<del>CS</del>	<del>H</del>	<del>Possession of official</del>	
3				<del>prescription form</del>	<del>1</del>
4	333.7405(a)	CS	G	Controlled substance	
5				violations by licensee	2
6	333.7405(b)	CS	G	Manufacturing or	
7				distribution violations	
8				by licensee	2
9	333.7405(c)	CS	G	Refusing lawful	
10				inspection	2
11	333.7405(d)	CS	G	Maintaining drug house	2
12	333.7407(1)(a)	CS	G	Controlled substance	
13				violations by licensee	4
14	333.7407(1)(b)	CS	G	Use of fictitious,	
15				revoked, or suspended	
16				license number	4
17	333.7407(1)(c)	CS	G	Obtaining controlled	
18				substance by fraud	4
19	333.7407(1)(d)	CS	G	False reports under	
20				controlled substance	
21				article	4
22	333.7407(1)(e)	CS	G	Possession of	
23				counterfeiting	
24				implements	4
25	333.7407(1)(f)	CS	F	Disclosing or obtaining	
26				prescription	
27				information	4
28	333.7407(1)(g)	CS	F	Possession of counterfeit	
29				prescription form	4
30	333.7407(2)	CS	G	Refusing to furnish	
31				records under	
32				controlled substance	
33				article	4
34	333.7410a	CS	G	Controlled substance	
35				offense or offense	
36				involving GBL in or	
37				near a park	2

<<Enacting section 1. This amendatory act takes effect January 31, 2004.>>

38 Enacting section <<1 2>>. This amendatory act does not take

1 effect unless Senate Bill No. 649 of the 92nd Legislature is  
2 enacted into law.