

SENATE BILL No. 650

August 13, 2003, Introduced by Senators CROPSEY, BIRKHOLZ, PATTERSON, BISHOP, KUIPERS, SCHAUER, GEORGE, JELINEK, McMANUS and HARDIMAN and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766c (MCL 333.17766c), as added by 1994 PA 38.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17766c. (1) A person shall not possess more than 10
2 grams of ephedrine **or pseudoephedrine** alone or in a mixture.

3 (2) A person who violates this section is guilty of a felony
4 punishable by imprisonment for not more than 2 years or a fine of
5 not more than \$2,000.00, or both.

6 (3) This section does not apply to any of the following:

7 (a) A person who possesses ephedrine **or pseudoephedrine**
8 pursuant to a license issued by this state or the United States
9 to manufacture, deliver, dispense, possess with intent to
10 manufacture or deliver, or possess a controlled substance,

1 prescription drug, or other drug.

2 (b) An individual who possesses ephedrine **or pseudoephedrine**
3 pursuant to a prescription.

4 (c) A person who possesses ephedrine **or pseudoephedrine** for
5 retail sale pursuant to a license issued ~~pursuant to~~ **under** the
6 general sales tax act, ~~Act No. 167 of the Public Acts of 1933,~~
7 ~~being sections 205.51 to 205.78 of the Michigan Compiled Laws~~
8 **1933 PA 167, MCL 205.51 to 205.78.**

9 (d) A person who possesses ephedrine **or pseudoephedrine** in
10 the course of his or her business of selling or transporting
11 ephedrine **or pseudoephedrine** to a person described in subdivision
12 (a) or (c).

13 (e) A person who, in the course of his or her business,
14 stores ephedrine **or pseudoephedrine** for sale or distribution to a
15 person described in subdivision (a), (c), or (d).