

SENATE BILL No. 1141

April 1, 2004, Introduced by Senator CROPSEY and referred to the Committee on Judiciary.

A bill to amend 1994 PA 27, entitled
"Drug dealer liability act,"
by amending section 3 (MCL 691.1603).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) "Controlled substance" means that term as
2 defined in section 7104 of the public health code, ~~Act No. 368~~
3 ~~of the Public Acts of 1978, being section 333.7104 of the~~
4 ~~Michigan Compiled Laws 1978 PA 368, MCL 333.7104.~~

5 (2) "Individual abuser" means an individual who uses a
6 controlled substance that is not obtained directly from, or
7 pursuant to a valid prescription or order of, a practitioner who
8 is acting in the course of the practitioner's professional
9 practice, or which use is not otherwise authorized under article
10 7 of the public health code, ~~Act No. 368 of the Public Acts of~~
11 ~~1978, being sections 333.7101 to 333.7544 of the Michigan~~

1 ~~Compiled Laws~~ 1978 PA 368, MCL 333.7101 to 333.7545.

2 (3) "Level 1 participation" means participating in illegal
3 marketing of ~~650~~ 1,000 or more grams of a mixture containing a
4 specified controlled substance, or of ~~16~~ 45 or more ~~pounds~~
5 **kilograms** or ~~100~~ 200 or more plants of marihuana.

6 (4) "Level 2 participation" means participating in illegal
7 marketing of ~~225~~ 450 or more grams, but less than ~~650~~ 1,000
8 grams, of a mixture containing a specified controlled substance,
9 or of ~~8~~ 5 or more ~~pounds~~ **kilograms** or ~~75~~ 20 or more plants,
10 but less than ~~16 pounds~~ 45 **kilograms** or ~~100~~ **fewer than 200**
11 plants, of marihuana.

12 (5) "Level 3 participation" means participating in illegal
13 marketing of 50 or more grams, but less than ~~225~~ 450 grams, of
14 a mixture containing a specified controlled substance, or of ~~4~~
15 ~~or more pounds~~ **less than 5 kilograms** or ~~50 or more plants, but~~
16 ~~less than 8 pounds or 75~~ **fewer than 20** plants, of marihuana.

17 (6) "Level 4 participation" means participating in illegal
18 marketing of less than 50 grams of a mixture containing a
19 specified controlled substance. ~~, or of 1 or more pounds or 25~~
20 ~~or more plants, but less than 4 pounds or 50 plants, of~~
21 ~~marihuana.~~