

SENATE BILL NO. 1105

May 5, 1998, Introduced by Senator SHUGARS and referred to the
Committee on Health Policy and Senior Citizens.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 7218 (MCL 333.7218) and by adding section
7401a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7218. (1) The following controlled substances are
2 included in schedule 4:

3 (A) Any material, compound, mixture, or preparation
4 CONTAINING ANY QUANTITY OF THE FOLLOWING SUBSTANCES HAVING A
5 POTENTIAL FOR ABUSE ASSOCIATED WITH A DEPRESSANT EFFECT ON THE
6 CENTRAL NERVOUS SYSTEM, including ~~its~~ THEIR salts, isomers, and
7 salts of isomers ~~when~~ IF the existence of the salts, isomers,
8 and salts of isomers is possible within the specific chemical
9 designation: ~~as included in schedule 4, which contains any~~

~~1 quantity of the following substances having a potential for abuse
2 associated with a depressant effect on the central nervous
3 system:—~~

4

5	Barbital	Flurazepam
6	Chloral Betaine	Lorazepam
7	Chloral Hydrate	Mebutamate
8	Chlordiazepoxide	Meprobamate
9	Clonazepam	Methohexital
10	Clorazepate	Methylphenobarbital
11	Dextropropoxyphene	Oxazepam
12	Diazepam	Paraldehyde
13	Ethchlorvynol	Petrichloral
14	Ethinamate	Phenobarbital
15	FLUNITRAZEPAM	Prazepam

~~16 (2) The following controlled substances are included in
17 schedule 4:—~~

~~18 (B) Any material, compound, mixture, or preparation
19 CONTAINING ANY QUANTITY OF THE FOLLOWING SUBSTANCES HAVING A
20 POTENTIAL FOR ABUSE ASSOCIATED WITH AN EFFECT ON THE CENTRAL NER-
21 VOUS SYSTEM, including ~~its~~ THEIR salts, ~~isomers (whether~~
22 ~~optical, ~~position~~ POSITIONAL, or geometric ~~)~~ ISOMERS, and
23 salts of the isomers ~~when~~ IF the existence of the salts, iso-
24 mers, and salts of isomers is possible. ~~, which contains any~~
25 ~~quantity of the following substances having a potential for abuse~~
26 ~~associated with a effect on the central nervous system:—~~~~~~

1 Fenfluramine

2 ~~(3) The following controlled substances are included in~~
3 ~~schedule 4:~~

4 (C) Any material, compound, mixture, or preparation
5 CONTAINING ANY QUANTITY OF THE FOLLOWING SUBSTANCES HAVING A
6 POTENTIAL FOR ABUSE ASSOCIATED WITH A STIMULANT EFFECT ON THE
7 CENTRAL NERVOUS SYSTEM, including ~~its~~ THEIR salts, ~~isomers,~~
8 ~~(whether~~ optical, ~~position~~ POSITIONAL, or geometric ~~)~~
9 ISOMERS, and salts of the isomers ~~when~~ IF the existence of the
10 salts, isomers, and salts of isomers is possible within the spe-
11 cific chemical designation. ~~, which contains any quantity of the~~
12 ~~following substances having a potential for abuse associated with~~
13 ~~a stimulant effect on the central nervous system:~~

14 Diethylpropion

15 Phentermine

16 Pemoline, including organometallic complexes and chelates
17 ~~thereof~~ OF PEMOLINE.

18 (2) ~~(4)~~ The administrator may except by rule any compound,
19 mixture or preparation containing any substance listed in subsec-
20 tion (1) ~~, (2), or (3)~~ from the application of all or any part
21 of this article if the compound, mixture or preparation contains
22 1 or more active medicinal ingredients not having a depressant or
23 stimulant effect on the central nervous system ~~,~~ and if the
24 admixtures are ~~included~~ in combinations, quantity, proportion,
25 or concentration that vitiate the potential for abuse of the sub-
26 stances ~~which have~~ HAVING a depressant or stimulant effect on
27 the central nervous system.

1 SEC. 7401A. (1) A PERSON WHO, WITHOUT AN INDIVIDUAL'S
2 CONSENT, DELIVERS A CONTROLLED SUBSTANCE OR CAUSES A CONTROLLED
3 SUBSTANCE TO BE DELIVERED TO THAT INDIVIDUAL TO COMMIT OR ATTEMPT
4 TO COMMIT A VIOLATION OF SECTION 520B, 520C, 520D, 520E, OR 520G
5 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520B, 750.520C,
6 750.520D, 750.520E, AND 750.520G, AGAINST THAT INDIVIDUAL IS
7 GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN
8 20 YEARS.

9 (2) A CONVICTION OR SENTENCE UNDER THIS SECTION DOES NOT
10 PROHIBIT A CONVICTION OR SENTENCE FOR ANY OTHER CRIME ARISING OUT
11 OF THE SAME TRANSACTION.

12 (3) THIS SECTION APPLIES REGARDLESS OF WHETHER THE PERSON IS
13 CONVICTED OF A VIOLATION OR ATTEMPTED VIOLATION OF SECTION 520B,
14 520C, 520D, 520E, OR 520G OF THE MICHIGAN PENAL CODE, 1931 PA
15 328, MCL 750.520B, 750.520C, 750.520D, 750.520E, AND 750.520G.

16 Enacting section 1. This amendatory act takes effect
17 September 1, 1998.