

Legislative Analysis



PROHIBIT USING FAKE ID TO PURCHASE EPHEDRINE PRODUCTS

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House Bill 4564 (Substitute H-1)
Sponsor: Rep. Amanda Price
Committee: Health Policy

Complete to 9-21-11

A SUMMARY OF PROPOSED SUBSTITUTE H-1 FOR HOUSE BILL 4564

The bill would make it a misdemeanor to use a fake ID to purchase or attempt to purchase a product containing ephedrine.

House Bill 4564 would amend the Public Health Code (MCL 333.177766cc) to prohibit using or attempting to use a false identification or the identification of another person to purchase a product containing any compound, mixture, or preparation containing any detectable quantity of ephedrine or pseudoephedrine. A violation would be a misdemeanor punishable by imprisonment for not more than 93 days, a fine of not more than \$100, or both.

The bill's prohibition and penalty would not apply to a person participating in an undercover operation in which the individual purchases or receives a product containing ephedrine or pseudoephedrine under the following scenarios:

- Under the direction of an employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action.
- Under the direction of the state police or local law enforcement agency as part of an enforcement action unless the initial or contemporaneous purchase or receipt of an ephedrine or pseudoephedrine product by the person was not under the direction of law enforcement and therefore not part of the undercover operation.

FISCAL IMPACT:

The bill could increase local correctional costs to the extent that persons are convicted under the new misdemeanor offense added under its provisions. Local incarceration and probation costs vary by jurisdiction. Any increase in penal fine revenues would benefit local libraries, which are the constitutionally-designated recipients of those revenues.

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