



Senate Fiscal Agency
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Senate Bill 789 (as reported without amendment)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend the Public Health Code to do the following:

- Require the Director of the Department of Community Health (DCH) to notify the Michigan Board of Pharmacy if the Director determined that imminent danger to life or health could be prevented or controlled by temporarily scheduling a substance as a controlled substance.
- Allow the Board of Pharmacy to add, delete, or reschedule a substance pursuant to the DCH Director's notification and the procedures outlined in the bill.
- Establish procedures, including public notice and a public hearing, for the temporary scheduling of a substance.
- Allow temporary scheduling of a substance for up to 180 days, and provide for an extension of up to 180 additional days.
- Provide that if the Board received a notice of the Federal scheduling of a controlled substance, the substance would be similarly scheduled under State law unless the Board held a meeting within 91 days to determine whether the substance should be controlled under State law.

MCL 333.2251 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The Michigan Board of Pharmacy would face minor administrative costs due to the notification and public hearing components of the bill.

To the extent that the bill resulted in an increase in the number of criminal convictions related to controlled substances, the State and local units of government would incur additional correctional costs. Local governments would incur the costs of incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an annual average cost of \$2,500, as well as the cost of incarceration in a State facility at an average annual cost of \$34,000. Additional penal fine revenue would benefit public libraries.

Date Completed: 11-9-11

Fiscal Analyst: Steve Angelotti
Matthew Grabowski