



**House  
Legislative  
Analysis  
Section**

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MANDATORY SENTENCE FOR DRUG OFFENSE

House Bill 5089  
Sponsor: Rep. William R. Bryant, Jr.  
Committee: Judiciary

Complete to 11-8-90

A SUMMARY OF HOUSE BILL 5089 AS INTRODUCED 9-26-89

The Public Health Code at present mandates life in prison without parole as the sentence for a large-quantity (650 grams or more) narcotics or cocaine offense. The bill would allow a court to depart from this sentence if it found on the record substantial and compelling reasons to do so. (This standard for departures is the same that now applies in sentencing for lesser drug offenses.) However, in sentencing under the bill, the court would have to impose a sentence of not less than 30 years but less than life. The offender would be ineligible for probation, suspension of sentence, or parole during the mandatory term, and the mandatory term could not be reduced through disciplinary credits or any other form of sentence reduction.

MCL 333.7401 and 333.7403

House Bill 5089 (11-8-90)