

# HOUSE BILL NO. 5394

October 14, 2021, Introduced by Reps. Allor and Puri and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 13m of chapter XVII (MCL 777.13m), as amended  
by 2016 PA 549.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1

CHAPTER XVII

2

Sec. 13m. This chapter applies to the following felonies  
enumerated in chapter 333 of the Michigan Compiled Laws:

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<b>M.C.L.</b>	<b>Category</b>	<b>Class Description</b>	<b>Stat Max</b>
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1	333.7340	CS	F	Sale, distribution, or	4
2				delivery of product	
3				containing ephedrine	
4				or pseudoephedrine by	
5				mail, internet, or	
6				telephone	
7	333.7340c(2)	CS	D	Soliciting another	10
8				person to purchase or	
9				obtain ephedrine or	
10				pseudoephedrine to	
11				manufacture	
12				methamphetamine	
13	333.7341(8)	CS	G	Delivery or	2
14				manufacture of	
15				imitation controlled	
16				substance	
17	333.7401(2)(a)(i)	CS	A	Delivery or	Life
18				manufacture of 1,000	
19				or more grams of	
20				certain schedule 1 or	
21				2 controlled	
22				substances	
23	333.7401(2)(a)(ii)	CS	A	Delivery or	30
24				manufacture of 450 or	
25				more but less than	
26				1,000 grams of certain	
27				schedule 1 or 2	
28				controlled substances	

1	333.7401 (2) (a) (iii) CS	B	Delivery or	20
2			manufacture of 50 or	
3			more but less than 450	
4			grams of certain	
5			schedule 1 or 2	
6			controlled substances	
7	333.7401 (2) (a) (iv) CS	D	Delivery or	20
8			manufacture of less	
9			than 50 grams of	
10			certain schedule 1 or	
11			2 controlled	
12			substances	
13	333.7401 (2) (b) (i) CS	B	Delivery or	20
14			manufacture of	
15			methamphetamine or 3,	
16			4-	
17			methylenedioxymethamph	
18			etamine	
19	333.7401 (2) (b) (ii) CS	E	Delivery or	7
20			manufacture of certain	
21			schedule 1, 2, or 3	
22			controlled substances	
23	333.7401 (2) (c) CS	F	Delivery or	4
24			manufacture of	
25			schedule 4 controlled	
26			substance	

1	333.7401 (2) (d) (i) CS	C	Delivery or	15
2			manufacture of 45 or	
3			more kilograms of	
4			marihuana or synthetic	
5			equivalents of	
6			marihuana	
7	333.7401 (2) (d) (ii) CS	D	Delivery or	7
8			manufacture of 5 or	
9			more but less than 45	
10			kilograms of marihuana	
11			or synthetic	
12			equivalents of	
13			marihuana	
14	333.7401 (2) (d) (iii) CS	F	Delivery or	4
15			manufacture of less	
16			than 5 kilograms or 20	
17			plants of marihuana or	
18			synthetic equivalents	
19			of marihuana	
20	333.7401 (2) (e) CS	G	Delivery or	2
21			manufacture of	
22			schedule 5 controlled	
23			substance	
24	333.7401 (2) (f) CS	D	Delivery or	7
25			manufacture of a	
26			prescription form or	
27			counterfeit	
28			prescription form	
29				

1	333.7401 (2) (g) (i)	CS	C	<b>Delivery or</b>	<b>15</b>
2				<b>manufacture of 1,000</b>	
3				<b>or more grams of</b>	
4				<b>etizolam</b>	
5	333.7401 (2) (g) (ii)	CS	D	<b>Delivery or</b>	<b>7</b>
6				<b>manufacture of 450 or</b>	
7				<b>more but less than</b>	
8				<b>1,000 grams of</b>	
9				<b>etizolam</b>	
10	333.7401 (2) (g) (iii)	CS	F	<b>Delivery or</b>	<b>4</b>
11				<b>manufacture of 50 or</b>	
12				<b>more but less than 450</b>	
13				<b>grams of etizolam</b>	
14	333.7401a	Person	B	Delivering a	20
15				controlled substance	
16				or GBL with intent to	
17				commit criminal sexual	
18				conduct	
19	333.7401b (3) (a)	CS	E	Delivery or	7
20				manufacture of GBL	
21	333.7401b (3) (b)	CS	G	Possession of GBL	2
22	333.7401c (2) (a)	CS	D	Operating or	10
23				maintaining controlled	
24				substance laboratory	
25	333.7401c (2) (b)	CS	B	Operating or	20
26				maintaining controlled	
27				substance laboratory	
28				in presence of minor	

1	333.7401c (2) (c)	CS	B	Operating or	20
2				maintaining controlled	
3				substance laboratory	
4				involving hazardous	
5				waste	
6	333.7401c (2) (d)	CS	B	Operating or	20
7				maintaining controlled	
8				substance laboratory	
9				near certain places	
10	333.7401c (2) (e)	CS	A	Operating or	25
11				maintaining controlled	
12				substance laboratory	
13				involving firearm or	
14				other harmful device	
15	333.7401c (2) (f)	CS	B	Operating or	20
16				maintaining controlled	
17				substance laboratory	
18				involving	
19				methamphetamine	
20	333.7402 (2) (a)	CS	D	Delivery or	10
21				manufacture of certain	
22				counterfeit controlled	
23				substances	
24	333.7402 (2) (b)	CS	E	Delivery or	5
25				manufacture of	
26				schedule 1, 2, or 3	
27				counterfeit controlled	
28				substance	

1	333.7402 (2) (c)	CS	F	Delivery or	4
2				manufacture of	
3				counterfeit schedule 4	
4				controlled substance	
5	333.7402 (2) (d)	CS	G	Delivery or	2
6				manufacture of	
7				counterfeit schedule 5	
8				controlled substance	
9	333.7402 (2) (e)	CS	C	Delivery or	15
10				manufacture of	
11				controlled substance	
12				analogue	
13	333.7403 (2) (a) (i)	CS	A	Possession of 1,000 or	Life
14				more grams of certain	
15				schedule 1 or 2	
16				controlled substances	
17	333.7403 (2) (a) (ii)	CS	A	Possession of 450 or	30
18				more but less than	
19				1,000 grams of certain	
20				schedule 1 or 2	
21				controlled substances	
22	333.7403 (2) (a) (iii)	CS	B	Possession of 50 or	20
23				more but less than 450	
24				grams of certain	
25				schedule 1 or 2	
26				controlled substances	

1	333.7403 (2) (a) (iv) CS	G	Possession of 25 or	4
2			more but less than 50	
3			grams of certain	
4			schedule 1 or 2	
5			controlled substances	
6	333.7403 (2) (a) (v) CS	G	Possession of less	4
7			than 25 grams of	
8			certain schedule 1 or	
9			2 controlled	
10			substances	
11	333.7403 (2) (b) (i) CS	D	Possession of	10
12			methamphetamine or 3,	
13			4-	
14			methylenedioxymethamph	
15			etamine	
16	333.7403 (2) (b) (ii) CS	G	Possession of certain	2
17			schedule 1, 2, 3, or 4	
18			controlled substances	
19			or controlled	
20			substances analogue	
21	333.7403a CS	F	Fraudulently obtaining	4
22			controlled substance	
23			or prescription for	
24			controlled substance	
25	333.7405 (1) (a) CS	G	Controlled substance	2
26			violations by licensee	
27	333.7405 (1) (b) CS	G	Manufacturing or	2
28			distribution	
29			violations by licensee	



1	333.7405 (1) (c)	CS	G	Refusing lawful	2
2				inspection	
3	333.7405 (1) (d)	CS	G	Maintaining drug house	2
4	333.7405 (1) (e)	CS	G	Unlawfully dispensing	2
5				out-of-state	
6				prescription	
7	333.7407 (1) (a)	CS	G	Controlled substance	4
8				violations by licensee	
9	333.7407 (1) (b)	CS	G	Use of fictitious,	4
10				revoked, or suspended	
11				license number	
12	333.7407 (1) (c)	CS	G	Obtaining controlled	4
13				substance by fraud	
14	333.7407 (1) (d)	CS	G	False reports under	4
15				controlled substance	
16				article	
17	333.7407 (1) (e)	CS	G	Possession of	4
18				counterfeiting	
19				implements	
20	333.7407 (1) (f)	CS	F	<del>Disclosing or</del>	4
21				<del>obtaining prescription</del>	
22				<del>information</del> <b>Possession</b>	
23				<b>of counterfeit</b>	
24				<b>prescription form</b>	
25	<del>333.7407 (1) (g)</del>	CS	F	<del>Possession of</del>	4
26				<del>counterfeit</del>	
27				<del>prescription form</del>	

1	333.7407(2)	CS	G	Refusing to furnish	4
2				records under	
3				controlled substance	
4				article	
5	333.7410a	CS	G	Controlled substance	2
6				offense or offense	
7				involving GBL in or	
8				near a park	
9	333.7417	CS	F	Sell or offer to sell	4
10				named product	
11				producing same or	
12				similar effect as	
13				scheduled ingredient	

14           Enacting section 1. This amendatory act does not take effect  
15 unless Senate Bill No.\_\_\_\_ or House Bill No. 5395 (request no.  
16 03290'21) of the 101st Legislature is enacted into law.