

## PROHIBIT DRUG MASKING PRODUCTS

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**Senate Bill 134 (S-1) as passed by the Senate**  
**Sponsor: Sen. Curtis S. VanderWall**  
**House Committee: Health Policy**  
**Senate Committee: Health Policy and Human Services**  
**Complete to 5-11-22**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

Senate Bill 134 would add a new section to the Michigan Penal Code to make it a criminal offense to distribute, deliver, sell, or possess with intent to distribute, deliver, or sell a ***drug masking product***. A violation would be a misdemeanor punishable by imprisonment for up to one year or a fine of up to \$1,000, or both.

***Drug masking product*** would include ***synthetic urine***, human urine, a substance designed to be added to human urine, or a substance designed to be added to or used on human hair or oral fluid, for the purpose of defrauding an alcohol or drug screening test.

***Synthetic urine*** would mean a substance designed to simulate the composition, chemical properties, physical appearance, or physical properties of human urine.

Proposed MCL 750.410c

### FISCAL IMPACT:

Senate Bill 134 would have an indeterminate fiscal impact on local units of government. The number of convictions that would result under provisions of the bill is not known. Violations would be misdemeanors, and new misdemeanor convictions would result in increased costs related to county jails and/or local misdemeanor probation supervision. Costs of local incarceration in county jails and local misdemeanor probation supervision, and how those costs are financed, vary by jurisdiction. The fiscal impact on local court systems would depend on how provisions of the bill affected court caseloads and related administrative costs. It is difficult to project the actual fiscal impact to courts due to variables such as law enforcement practices, prosecutorial practices, judicial discretion, case types, and complexity of cases. Any increase in penal fine revenue would increase funding for public and county law libraries, which are the constitutionally designated recipients of those revenues.

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