



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 399 (as introduced 6-11-25)

Sponsor: Senator Jeff Irwin

Committee: Health Policy

Date Completed: 6-17-25

CONTENT

The bill would amend Part 74 (Offenses and Penalties) of the Public Health Code to specify that, as used in Sections 7453 to 7461 and Section 7521, "drug paraphernalia" would not include testing products used in determining whether a controlled substance contained chemicals, toxic substances, or hazardous compounds in quantities that could cause physical harm or death. "Testing products" would include fentanyl testing strips.

Generally, "drug paraphernalia" currently means any equipment, product, or material specifically used for producing, testing, storing, or consuming a controlled substance, such as testing equipment designed for use in identifying strength or purity of a controlled substance. Sections 7453 to 7461 prescribe requirements that restrict the sale of, penalize, provide exceptions for, and set rules for prosecution in cases regarding, drug paraphernalia. Section 7521 prescribes requirements for what kinds of property are subject to forfeiture, including drug paraphernalia.

MCL 333.7451

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

The bill is a reintroduction of House Bill 5179 of the 2023-2024 Legislative Session. House Bill 5179 passed the House and was referred to the Senate Committee on Health Policy but received no further action.

Legislative Analyst: Alex Krabill

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Ellyn Ackerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.