

State of Wisconsin



2009 Assembly Bill 186

Date of enactment: **March 3, 2010**
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2009 WISCONSIN ACT 141

AN ACT *to create* 941.318 of the statutes; **relating to:** salvinorin A and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 941.318 of the statutes is created to read:

941.318 Salvia divinorum. (1) In this section:

(a) "Deliver," with respect to salvinorin A, has the same meaning given in s. 961.01 (6) with respect to a controlled substance or controlled substance analog.

(b) "Distribute," with respect to salvinorin A, has the same meaning given in s. 961.01 (9) with respect to a controlled substance or controlled substance analog.

(c) "Manufacture," with respect to salvinorin A, has the same meaning given in s. 961.01 (13) with respect to a controlled substance or controlled substance analog.

(2) Except as provided in sub. (3), whoever manufactures, distributes, or delivers salvinorin A with intent that it be consumed by an individual may be fined not more than \$10,000.

(3) (a) Subsection (2) does not apply to the manufacture of any dosage form of salvinorin A that may be obtained from a retail establishment without a prescription and that is recognized by the U.S. Food and Drug Administration as a homeopathic drug.

(b) Subsection (2) does not apply to the distribution or delivery to an individual who is 18 years of age or older of any dosage form of salvinorin A that may be obtained from a retail establishment without a prescription and that is recognized by the U.S. Food and Drug Administration as a homeopathic drug.

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].