



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4750/1
EAW:wlj

2017 ASSEMBLY BILL 764

December 19, 2017 - Introduced by Representatives NOVAK, E. BROOKS, DUCHOW, EDMING, HORLACHER, KITCHENS, KRUG, RIPP, ROHRKASTE, STEFFEN and TRANEL, cosponsored by Senator MARKLEIN. Referred to Committee on Criminal Justice and Public Safety.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to renumber and amend* 961.41 (3j); and *to create* 961.41 (3j) (a) 2. of
2 the statutes; **relating to:** the purchase of pseudoephedrine products and
3 providing a criminal penalty.

Analysis by the Legislative Reference Bureau

Under this bill, a person who purchases from a pharmacy or pharmacist more than 7.5 grams of pseudoephedrine contained in a pseudoephedrine product within a 30-day period is guilty of a misdemeanor. The criminal penalty imposed under the bill does not apply to a physician, dentist, veterinarian, or pharmacist.

Under current law, there is no criminal penalty imposed for making such a purchase from a pharmacy or pharmacist, but if a person other than a physician, dentist, veterinarian, or pharmacist makes such a purchase from a source other than a pharmacy or pharmacist, he or she is guilty of a Class I felony. Also under current law, a person who distributes more than 7.5 grams of pseudoephedrine contained in a pseudoephedrine product within a 30-day period to a person, other than a physician, dentist, veterinarian, or pharmacist, without a valid prescription is guilty of a Class I felony.

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

4 **SECTION 1.** 961.41 (3j) of the statutes is renumbered 961.41 (3j) (a) (intro.) and
5 amended to read:

