



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.

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:

