State of Wisconsin
2021 - 2022 LEGISLATURE

LRB–4726/1
JPC:amn

2021 BILL

AN ACT *to create* 961.571 (1) (b) 3. of the statutes; **relating to:** decriminalizing fentanyl testing strips.

Analysis by the Legislative Reference Bureau

This bill decriminalizes the use of fentanyl testing strips to test a substance for the presence of fentanyl. Under current law, fentanyl testing strips are considered drug paraphernalia, and it is a felony for any person to use or possess with intent to use drug paraphernalia. The bill excepts fentanyl testing strips from the definition of "drug paraphernalia."

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 961.571 (1) (b) 3. of the statutes is created to read:

961.571 **(1)** (b) 3. Any materials used or intended for use in testing for the presence of fentanyl or a fentanyl analog in a substance.

(END)