

Fiscal Estimate Narratives

DA 6/3/2015

LRB Number	15-0188/2	Introduction Number	AB-0224	Estimate Type	Original
Description Marijuana possession, regulation of marijuana distribution and cultivation, medical marijuana, operating a motor vehicle while under the influence of marijuana, making appropriations, requiring the exercise of rule-making authority, and providing criminal penalties					

Assumptions Used in Arriving at Fiscal Estimate

This bill, if enacted, changes State law to permit both recreational and medical use of marijuana. The bill allows Wisconsin residents over the age of 21 to possess a certain amount of marijuana; and, non-residents over age 21 to possess a smaller amount of marijuana. The bill creates a process by which a person may obtain a permit to sell marijuana for recreational use, and penalties for violations. In addition, the bill permits a person registered with the Department of Health Services (DHS) to use marijuana for medical use to alleviate the symptoms or effects of a debilitating medical condition or treatment. The bill requires DHS to license and regulate non-profit corporations that distribute or deliver marijuana or drug paraphernalia with the intent to deliver or distribute to facilitate the medical use of marijuana.

The majority of prosecutors believe enactment of the bill will dramatically increase costs of District Attorney (DA) offices for a number of reasons, including prosecution of the following: operating a motor vehicle under the influence of THC; violations of the law (e.g. - possession of more THC than is allowed; sale of THC to minors; the sale, distribution, or transfer of marijuana without a permit); the crimes people will commit to get money for the purchase of THC; etc.

Other prosecutors believe enactment of this bill could reduce their workload pertaining to the prosecution of possession and use of minor amounts of marijuana; however, they acknowledge that many jurisdictions already have enacted ordinances allowing possession of marijuana, which has reduced the number of charged cases. In addition, some DA offices already have adjusted their practices so that they do not charge possession of small amounts of THC.

At this time, there is insufficient data available to provide an estimate of the potential cost of this bill. Consequently, the fiscal effect of this bill is indeterminate.

Long-Range Fiscal Implications

As addressed above, the long-range fiscal impact of this bill is indeterminate.