



(INSERT)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen.

1 **AN ACT** *to repeal* 94.55 (2) (e), 94.55 (3), 94.55 (3) (c), 94.67 (15r) and 961.32 (3)
2 (b) 2.; *to amend* 20.115 (7) (gc), 23.33 (4c) (a) 2m., 23.33 (4c) (a) 5., 23.33 (4c)
3 (b) 2m., 23.33 (4c) (b) 4. a., 23.33 (4c) (b) 4. b., 23.33 (4p) (d), 23.335 (12) (a) 2m.,
4 23.335 (12) (a) 5., 23.335 (12) (b) 2m., 23.335 (12) (b) 4., 23.335 (12) (b) 5., 23.335
5 (12) (i), 30.681 (1) (b) 1m., 30.681 (1) (d), 30.681 (2) (b) 1m., 30.681 (2) (d) 1. a.,
6 30.681 (2) (d) 1. b., 30.684 (4), 94.55 (1), 94.55 (2) (title), 94.55 (2) (a), 94.55 (2)
7 (b) 2., 94.55 (2) (b) 3., 94.55 (2) (b) 4., 94.55 (2) (b) 5., 94.55 (2) (c), 94.67 (2), 97.02,
8 182.001 (3), 343.305 (5) (e), 343.305 (7) (a), 343.305 (8) (b) 2. bm., 343.305 (8)
9 (b) 2. d., 343.305 (8) (b) 2. g., 343.305 (8) (b) 4m. (intro.), 343.305 (8) (b) 4m. a.,
10 343.305 (8) (b) 5. b., 343.305 (8) (b) 5. c., 343.305 (8) (b) 6. b., 343.305 (9) (a) 5.
11 a., 343.307 (1) (d), 343.307 (2) (e), 343.31 (1) (am), 343.31 (2), 343.315 (2) (a) 1m.,
12 343.315 (2) (a) 6., 346.63 (1) (am), 346.63 (1) (d), 346.63 (2) (a) 3., 346.63 (2) (b)
13 1., 346.63 (2) (b) 2., 348.27 (18) (a) 1. f., 350.101 (1) (bm), 350.101 (1) (e), 350.101
14 (2) (bm), 350.101 (2) (d) 1., 350.101 (2) (d) 2., 350.104 (4), 351.02 (1) (a) 10.,
15 885.235 (1k), 885.235 (4), 940.09 (1) (am), 940.09 (1) (cm), 940.09 (1g) (am),

1 940.09 (2) (a), 940.09 (2) (b), 940.25 (1) (am), 940.25 (1) (cm), 940.25 (2) (a),
2 940.25 (2) (b), 941.20 (1) (bm), 961.01 (14), 961.14 (4) (t) 1., 961.32 (2m) (b),
3 961.32 (3) (a) 1. and 2., 961.32 (3) (b) (intro.), 961.32 (3) (b) 1., 961.32 (3) (b) 3.,
4 961.32 (3) (b) 4., 961.32 (3) (b) 5., 961.32 (3) (c), 961.32 (3) (d), 961.34 (2) (a),
5 961.34 (2) (b), 961.38 (1n) (a), 961.38 (1n) (b), 961.442 (intro.), 961.55 (9),
6 967.055 (1) (a) and 967.055 (2) (a); **to repeal and recreate** 94.55 (title); and
7 **to create** 20.115 (7) (f), 94.55 (2) (am), 94.55 (2) (b) 2m., 94.55 (2) (b) 4g., 94.55
8 (2) (b) 4m., 94.55 (2) (b) 4s., 94.55 (2) (f), 94.55 (2g), 94.55 (2m), 94.55 (2p), 94.55
9 (2r), 94.55 (2t), 94.55 (3m), 94.55 (3r), 94.67 (15c), 961.01 (3r), 961.14 (4) (t) 3.,
10 961.32 (3) (b) 4m., 961.32 (3) (b) 4r. and 961.32 (3) (cm) of the statutes; **relating**
11 **to:** regulating hemp, providing an exemption from emergency rule procedures,
12 granting rule-making authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes several changes to current law relating to industrial hemp.

The bill changes current law in the following ways so that it is consistent with the 2018 federal farm bill:

1. Uses the term “hemp” instead of “industrial hemp” throughout current law and defines “hemp” as “*Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9-tetrahydrocannabinol [THC] concentration of not more than 0.3 percent on a dry weight basis or the maximum concentration allowed under federal law up to 1 percent, whichever is greater.” The bill also provides that “hemp” does not include a prescription drug product approved by the U.S. food and drug administration.

2. Prohibits any person from producing hemp in this state without a license from the Department of Agriculture, Trade and Consumer Protection if required under federal law.

3. Allows DATCP to establish procedures for all of the following: a) maintaining information relating to hemp production; b) testing for THC concentrations in hemp; c) disposing of hemp plants grown illegally; d) complying with enforcement provisions; and e) conducting annual inspections of hemp producers.

4. Provides that a hemp producer who negligently violates the provisions of the hemp program or DATCP’s rules relating to the hemp program must comply with a

plan established by DATCP to correct the violation. A compliance plan must include a reasonable date by which the hemp producer is required to correct the violation and must require the hemp producer to report to DATCP periodically, for not less than two years, on the status of the producer's compliance with the plan. A hemp producer who negligently violates the provisions of the hemp program or DATCP's rules relating to the hemp program may not be criminally prosecuted; a hemp producer who negligently violates those provisions three times in a five-year period is ineligible to participate in the hemp program for five years.

5. Requires DATCP to immediately report a hemp producer who violates the provisions of the hemp program or DATCP's rules relating to the hemp program with a culpable mental state that is greater than negligence to the Department of Justice and the U.S. attorney general.

6. Prohibits a person who materially falsifies any information contained in an application for the hemp program from participating in the hemp program.

7. Prohibits a person from producing hemp for ten years following a felony conviction relating to a controlled substance under state or federal law, unless the person holds a valid license under any state's hemp pilot program on the effective date of the bill.

8. Redefines "marijuana," for the purposes of the controlled substances act, to exclude hemp.

9. Excludes THC contained in hemp from the list of Schedule I controlled substances.

10. Changes the current hemp pilot program under DATCP to a permanent program and sunsets the pilot program.

The bill also does the following relating to hemp:

1. Creates an appropriation from the general fund for the hemp program in the 2019-21 biennium, and increases funding to DATCP for the current 2018-19 fiscal year for the purchase of machinery and other assets for the hemp program.

2. Allows DATCP to establish lower license fees for hemp licenses issued for research or noncommercial purposes.

3. Requires DATCP to set criteria for approving persons to undertake any sampling and testing of hemp that DATCP requires by rule and to approve persons that meet the criteria.

4. Prohibits DATCP from requiring sampling and testing of hemp seedlings or clones intended to be planted that originate from certified hemp seed or from hemp seed or clones approved for growing by DATCP.

5. Requires DATCP to issue a fit for commerce certificate after hemp is tested, or if DATCP determines that hemp is not required to be tested.

6. Allows a person, whose personally identifying information relating to the hemp program is in DATCP's possession, to authorize the disclosure of that information.

7. Requires all hemp producers to notify DATCP of the variety of hemp the producer intends to grow, and prohibits a hemp producer from growing hemp unless DATCP has approved that variety of hemp for growing in this state or that variety of hemp has been certified by DATCP.

8. Prohibits a person from mislabeling hemp or a hemp product, knowingly making an inaccurate claim about the content, quality, or origin of hemp or a hemp product in the course of transferring or selling, or knowingly selling at retail mislabeled hemp or hemp products.

9. Requires contracts to purchase hemp from a hemp grower to provide for payment to the grower within seven days of taking possession of the hemp, unless the grower voluntarily and knowingly agrees otherwise.

10. Adds hemp to the list of agricultural products that may not be grown by, or grown on land owned by, a large corporation or trust.

11. Clarifies that THC contained in a CBD product is not a Schedule I controlled substance if the THC and CBD concentration is at a level without a psychoactive effect.

12. Changes the provision under current law that exempts a person from prosecution for selling, transferring, processing, harvesting, or taking possession of cannabis that is over the permissible THC concentration for hemp, so that the exemption applies to cannabis that had been tested and certified, by DATCP or a person approved by DATCP, as meeting the permissible THC concentration for hemp, but that is in fact above the permissible limit, if the person has no reason to believe that the certification is incorrect.

13. Provides that a person may not be prosecuted for temporarily possessing cannabis that is above the permissible THC concentration for hemp during the normal course of processing hemp if the cannabis is reconditioned or processed to meet the permissible THC concentration limit for hemp within a reasonable amount of time.

14. Provides that a person who purchases hemp or a hemp product may not be prosecuted if the product is no more than 0.7 percent over the permissible THC limit for hemp and if the person has no reason to believe that the product is over the permissible THC limit for hemp.

WSA The bill also provides that a person may not operate a motor vehicle, all-terrain vehicle (ATV), utility terrain vehicle (UTV), off-highway motorcycle (OHM), snowmobile, or motorboat or handle a firearm with a detectable amount of a restricted controlled substance other than THC in his or blood. Under current law, a person may not operate a motor vehicle, ATV, UTV, OHM, snowmobile, or motorboat or handle a firearm if he or she has a detectable amount of a restricted controlled substance in his or her blood, regardless of whether the person's ability has been impaired. Under current law, the definition of "restricted controlled substance" includes THC.

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:

1 SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

				2019-20	2020-21
3	20.115	Agriculture, trade and consumer			
4		protection, department of			
5	(7)	AGRICULTURAL RESOURCE MANAGEMENT			
6	(f)	Hemp	GPR A	216,500	216,500

7 SECTION 2. 20.115 (7) (f) of the statutes is created to read:
8 20.115 (7) (f) *Hemp*. The amounts in the schedule for regulation of activities
9 relating to hemp under s. 94.55.

10 SECTION 3. 20.115 (7) (gc) of the statutes is amended to read:
11 20.115 (7) (gc) ~~Industrial hemp~~ Hemp; program fees. All moneys received under
12 s. 94.55 for regulation of activities relating to ~~industrial~~ hemp under s. 94.55.

13 SECTION 4. 23.33 (4c) (a) 2m. of the statutes is amended to read:
14 23.33 (4c) (a) 2m. 'Operating with a restricted controlled substance.' No person
15 may engage in the operation of an all-terrain vehicle or utility terrain vehicle while
16 the person has a detectable amount of a restricted controlled substance other than
17 delta-9-tetrahydrocannabinol in his or her blood.

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18 SECTION 5. 23.33 (4c) (a) 5. of the statutes is amended to read:
19 23.33 (4c) (a) 5. 'Defenses.' In an action under subd. 2m. that is based on the
20 defendant allegedly having a detectable amount of methamphetamine, or
21 gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol in his or her blood,
22 the defendant has a defense if he or she proves by a preponderance of the evidence
23 that at the time of the incident or occurrence he or she had a valid prescription for

1 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
2 acid, or delta-9-tetrahydrocannabinol.

3 **SECTION 6.** 23.33 (4c) (b) 2m. of the statutes is amended to read:

4 23.33 (4c) (b) 2m. 'Causing injury while operating with a restricted controlled
5 substance.' No person who has a detectable amount of a restricted controlled
6 substance other than delta-9-tetrahydrocannabinol in his or her blood may cause
7 injury to another person by the operation of an all-terrain vehicle or utility terrain
8 vehicle.

9 **SECTION 7.** 23.33 (4c) (b) 4. a. of the statutes is amended to read:

10 23.33 (4c) (b) 4. a. In an action under this paragraph, the defendant has a
11 defense if he or she proves by a preponderance of the evidence that the injury would
12 have occurred even if he or she had been exercising due care and he or she had not
13 been under the influence of an intoxicant, did not have an alcohol concentration of
14 0.08 or more, or did not have a detectable amount of a restricted controlled substance
15 other than delta-9-tetrahydrocannabinol in his or her blood.

16 **SECTION 8.** 23.33 (4c) (b) 4. b. of the statutes is amended to read:

17 23.33 (4c) (b) 4. b. In an action under subd. 2m. that is based on the defendant
18 allegedly having a detectable amount of methamphetamine, or
19 gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol in his or her blood,
20 the defendant has a defense if he or she proves by a preponderance of the evidence
21 that at the time of the incident or occurrence he or she had a valid prescription for
22 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
23 acid, or delta-9-tetrahydrocannabinol.

24 **SECTION 9.** 23.33 (4p) (d) of the statutes is amended to read:

1 23.33 (4p) (d) *Admissibility; effect of test results; other evidence.* The results
2 of a chemical test required or administered under par. (a), (b) or (c) are admissible
3 in any civil or criminal action or proceeding arising out of the acts committed by a
4 person alleged to have violated the intoxicated operation of an all-terrain vehicle or
5 utility terrain vehicle law on the issue of whether the person was under the influence
6 of an intoxicant or the issue of whether the person had alcohol concentrations at or
7 above specified levels or a detectable amount of a restricted controlled substance
8 other than delta-9-tetrahydrocannabinol in his or her blood. Results of these
9 chemical tests shall be given the effect required under s. 885.235. This subsection
10 does not limit the right of a law enforcement officer to obtain evidence by any other
11 lawful means.

12 **SECTION 10.** 23.335 (12) (a) 2m. of the statutes is amended to read:

13 23.335 (12) (a) 2m. No person may engage in the operation of an off-highway
14 motorcycle while the person has a detectable amount of a restricted controlled
15 substance other than delta-9-tetrahydrocannabinol in his or her blood.

16 **SECTION 11.** 23.335 (12) (a) 5. of the statutes is amended to read:

17 23.335 (12) (a) 5. In an action under subd. 2m. that is based on the defendant
18 allegedly having a detectable amount of methamphetamine, or
19 gamma-hydroxybutyric acid, or ~~delta-9-tetrahydrocannabinol~~ in his or her blood,
20 the defendant has a defense if he or she proves by a preponderance of the evidence
21 that at the time of the incident or occurrence he or she had a valid prescription for
22 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
23 acid, or ~~delta-9-tetrahydrocannabinol~~.

24 **SECTION 12.** 23.335 (12) (b) 2m. of the statutes is amended to read:

1 23.335 (12) (b) 2m. No person who has a detectable amount of a restricted
2 controlled substance other than delta-9-tetrahydrocannabinol in his or her blood
3 may cause injury to another person by the operation of an off-highway motorcycle.

4 SECTION 13. 23.335 (12) (b) 4. of the statutes is amended to read:

5 23.335 (12) (b) 4. In an action under this paragraph, the defendant has a
6 defense if he or she proves by a preponderance of the evidence that the injury would
7 have occurred even if he or she had been exercising due care and even if he or she had
8 not been under the influence of an intoxicant to a degree which rendered him or her
9 incapable of safe operation, did not have an alcohol concentration of 0.08 or more, or
10 did not have a detectable amount of a restricted controlled substance other than
11 delta-9-tetrahydrocannabinol in his or her blood.

12 SECTION 14. 23.335 (12) (b) 5. of the statutes is amended to read:

13 23.335 (12) (b) 5. In an action under subd. 2m. that is based on the defendant
14 allegedly having a detectable amount of methamphetamine, or
15 gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol in his or her blood,
16 the defendant has a defense if he or she proves by a preponderance of the evidence
17 that at the time of the incident or occurrence he or she had a valid prescription for
18 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
19 acid, or delta-9-tetrahydrocannabinol.

20 SECTION 15. 23.335 (12) (i) of the statutes is amended to read:

21 23.335 (12) (i) *Chemical tests; effect of test results.* The results of a chemical
22 test required or administered under par. (f) or (g) are admissible in any civil or
23 criminal action or proceeding arising out of the acts committed by a person alleged
24 to have violated the intoxicated operation of an off-highway motorcycle law on the
25 issue of whether the person was under the influence of an intoxicant or the issue of

1 whether the person had alcohol concentrations at or above specified levels or a
2 detectable amount of a restricted controlled substance other than
3 delta-9-tetrahydrocannabinol in his or her blood. Results of these chemical tests
4 shall be given the effect required under s. 885.235. Paragraphs (f) to (h) do not limit
5 the right of a law enforcement officer to obtain evidence by any other lawful means.

6 **SECTION 16.** 30.681 (1) (b) 1m. of the statutes is amended to read:

7 30.681 (1) (b) 1m. No person may engage in the operation of a motorboat while
8 the person has a detectable amount of a restricted controlled substance other than
9 delta-9-tetrahydrocannabinol in his or her blood.

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10 **SECTION 17.** 30.681 (1) (d) of the statutes is amended to read:

11 30.681 (1) (d) *Defenses.* In an action under par. (b) 1m. that is based on the
12 defendant allegedly having a detectable amount of methamphetamine, or
13 gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol in his or her blood,
14 the defendant has a defense if he or she proves by a preponderance of the evidence
15 that at the time of the incident or occurrence he or she had a valid prescription for
16 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
17 acid, or delta-9-tetrahydrocannabinol.

18 **SECTION 18.** 30.681 (2) (b) 1m. of the statutes is amended to read:

19 30.681 (2) (b) 1m. No person who has a detectable amount of a restricted
20 controlled substance other than delta-9-tetrahydrocannabinol in his or her blood
21 may cause injury to another person by the operation of a motorboat.

22 **SECTION 19.** 30.681 (2) (d) 1. a. of the statutes is amended to read:

23 30.681 (2) (d) 1. a. In an action under this subsection for a violation of the
24 intoxicated boating law where the defendant was operating a motorboat that is not
25 a commercial motorboat, the defendant has a defense if he or she proves by a

1 preponderance of the evidence that the injury would have occurred even if he or she
2 had been exercising due care and he or she had not been under the influence of an
3 intoxicant or did not have an alcohol concentration of 0.08 or more or a detectable
4 amount of a restricted controlled substance other than
5 delta-9-tetrahydrocannabinol in his or her blood.

6 **SECTION 20.** 30.681 (2) (d) 1. b. of the statutes is amended to read:

7 30.681 (2) (d) 1. b. In an action under par. (b) 1m. that is based on the defendant
8 allegedly having a detectable amount of methamphetamine, or
9 gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol in his or her blood,
10 the defendant has a defense if he or she proves by a preponderance of the evidence
11 that at the time of the incident or occurrence he or she had a valid prescription for
12 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
13 acid, or delta-9-tetrahydrocannabinol.

14 **SECTION 21.** 30.684 (4) of the statutes is amended to read:

15 30.684 (4) ADMISSIBILITY; EFFECT OF TEST RESULTS; OTHER EVIDENCE. The results
16 of a chemical test required or administered under sub. (1), (2) or (3) are admissible
17 in any civil or criminal action or proceeding arising out of the acts committed by a
18 person alleged to have violated the intoxicated boating law on the issue of whether
19 the person was under the influence of an intoxicant or the issue of whether the person
20 had alcohol concentrations at or above specified levels or a detectable amount of a
21 restricted controlled substance other than delta-9-tetrahydrocannabinol in his or
22 her blood. Results of these chemical tests shall be given the effect required under s.
23 885.235. This section does not limit the right of a law enforcement officer to obtain
24 evidence by any other lawful means.

25 **SECTION 22.** 94.55 (title) of the statutes is repealed and recreated to read:

1 **94.55 (title) Hemp.**

2 **SECTION 23.** 94.55 (1) of the statutes is amended to read:

3 94.55 (1) DEFINITION. In this section, “industrial hemp” means the plant
4 Cannabis sativa, ~~or L. and~~ any part of the that plant, including the seeds, ~~having~~
5 thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of
6 isomers, whether growing or not, with a delta-9-tetrahydrocannabinol
7 concentration of no ~~not~~ more than 0.3 percent on a dry weight basis or the maximum
8 concentration allowed under federal law up to 1 percent, whichever is greater.
9 ~~“Industrial hemp” includes a substance, material, or product only if it is designated~~
10 ~~as a controlled substance under the federal Controlled Substances Act under 21 USC~~
11 ~~801 to 971 or the Uniform Controlled Substances Act under ch. 961 or both, as tested~~
12 using post-decarboxylation or other similarly reliable methods. “Hemp” does not
13 include a prescription drug product that has been approved by the U.S. food and drug
14 administration.

15 **SECTION 24.** 94.55 (2) (title) of the statutes is amended to read:

16 94.55 (2) (title) REGULATION OF INDUSTRIAL HEMP.

17 **SECTION 25.** 94.55 (2) (a) of the statutes is amended to read:

18 94.55 (2) (a) Subject to the provisions under this subsection section, a person
19 may plant, grow, cultivate, harvest, produce, sample, test, process, transport,
20 transfer, take possession of, sell, import, and export industrial hemp in this state to
21 the greatest extent allowed under federal law.

22 **SECTION 26.** 94.55 (2) (am) of the statutes is created to read:

23 94.55 (2) (am) The department shall issue licenses to hemp producers if hemp
24 producers are required to hold a license to produce hemp under federal law and if the
25 secretary of the U.S. department of agriculture has approved this state’s hemp

1 program. If the department issues such licenses, no person may produce hemp
2 without a license from the department. Licenses from the department may authorize
3 the planting, growing, cultivating, harvesting, producing, sampling, testing,
4 processing, transporting, transferring, taking possession, selling, importing, and
5 exporting of hemp. The department shall identify the requirements for applying for
6 a license, approving or denying a license, and suspending or revoking a license, and
7 shall identify the restrictions and obligations that apply to operating under a license.
8 The department may restrict license eligibility based on a violation reported under
9 sub. (2m). The department shall accept license applications throughout the calendar
10 year. The department may set license terms and may set late fees for license
11 renewals.

12 **SECTION 27.** 94.55 (2) (b) 2. of the statutes is amended to read:

13 94.55 (2) (b) 2. Except as provided under ~~subds. 3. to 6. and subs. (3) and (4)~~
14 this section, rules promulgated under this ~~paragraph~~ section shall regulate the
15 activities described in par. (a) only to the extent required under federal law, and in
16 a manner that allows the people of this state to have the greatest possible
17 opportunity to engage in those activities.

18 **SECTION 28.** 94.55 (2) (b) 2m. of the statutes is created to read:

19 94.55 (2) (b) 2m. The department may establish all of the following:

20 a. A practice to maintain relevant information regarding land on which hemp
21 is produced in this state, including a legal description of the land, as defined by the
22 department, for a period of not less than 3 years.

23 b. A procedure for testing, using post-decarboxylation or other similarly
24 reliable methods, delta-9-tetrahydrocannabinol concentration levels of hemp.

1 c. A procedure for the effective disposal of plants, whether growing or not, that
2 are produced in violation of this section, and products derived from those plants.

3 d. A procedure to comply with the enforcement provisions under subs. (2g) and
4 (2m).

5 e. A procedure for conducting annual inspection of, at a minimum, a random
6 sample of hemp producers to verify that hemp is not produced in violation of this
7 section.

8 **SECTION 29.** 94.55 (2) (b) 3. of the statutes is amended to read:

9 94.55 (2) (b) 3. The department shall promulgate rules, as the department
10 determines to be necessary, to ensure the quality of industrial hemp ~~grown or~~
11 ~~processed~~ produced in this state, the security of activities related to industrial hemp,
12 and the safety of products produced from industrial hemp, including any necessary
13 testing; to ensure that the state's hemp program complies with federal law and to
14 obtain and maintain any required federal approval of the state's hemp program; to
15 verify adherence to laws and rules governing activities related to industrial hemp;
16 and to enforce violations of those laws and rules.

17 **SECTION 30.** 94.55 (2) (b) 4. of the statutes is amended to read:

18 94.55 (2) (b) 4. The department shall require the payment of an initial fee from
19 any person who ~~plants, grows, or cultivates industrial~~ produces hemp in this state
20 equal to the greater of \$150 or \$5 multiplied by the number of acres on which the
21 person will ~~plant, grow, or cultivate industrial~~ produce hemp, but not to exceed
22 \$1,000. The department may also impose an annual fee on any person whose
23 activities related to industrial hemp are regulated by the department under this
24 paragraph, in an amount not to exceed an amount sufficient to cover the costs to the
25 department of regulating those activities, as determined by the department by rule.

1 The department may establish lower initial and annual fees for licenses issued for
2 research or noncommercial purposes.

3 **SECTION 31.** 94.55 (2) (b) 4g. of the statutes is created to read:

4 94.55 (2) (b) 4g. Within 6 months after the effective date of this subdivision
5 [LRB inserts date], the department shall set criteria for approving persons to
6 undertake any sampling and testing required by the department by rule. The
7 department shall approve persons that meet the criteria to the extent allowed under
8 federal law.

9 **SECTION 32.** 94.55 (2) (b) 4m. of the statutes is created to read:

10 94.55 (2) (b) 4m. When sampling and testing a crop of hemp, the department
11 is not required to sample and test every growing location or every strain. The
12 department may not require the sampling and testing of hemp seedlings or clones
13 that are intended to be planted and that originated from hemp seed certified under
14 par. (c) or from hemp seed or clones approved for growing under par. (f).

15 **SECTION 33.** 94.55 (2) (b) 4s. of the statutes is created to read:

16 94.55 (2) (b) 4s. Following any required sampling and testing, or if the
17 department determines that sampling and testing are not required, the department
18 shall issue a certificate that states that the hemp has been tested or is not required
19 to be tested for delta-9-tetrahydrocannabinol concentration and is in compliance
20 with this section and rules promulgated under this section.

21 **SECTION 34.** 94.55 (2) (b) 5. of the statutes is amended to read:

22 94.55 (2) (b) 5. The department shall ensure that any of the following
23 information that is in the department's possession relating to a licensee or applicant
24 for a license under this section is confidential and not open to public inspection or

1 copying under s. 19.35 (1), except that it shall be made available to a law enforcement
2 agency or law enforcement officer:

3 a. Information relating to the locations of industrial hemp fields and processing
4 locations production locations.

5 b. Personally identifiable information relating to a person who is lawfully
6 engaging in activities related to industrial hemp, unless the person elects, during the
7 application and licensing or renewal process, for the department to release any or all
8 of the person's personally identifiable information.

9 c. Information obtained about an individual as a result of any criminal history
10 search performed in relation to authorizing the individual to engage in activities
11 related to industrial hemp.

12 d. Any other information about activities related to industrial hemp that could
13 create a security risk if disclosed.

14 **SECTION 35.** 94.55 (2) (c) of the statutes is amended to read:

15 94.55 (2) (c) The department shall establish and administer a certification
16 program, or shall designate a member of the Association of Official Seed Certifying
17 Agencies or a successor organization to administer a certification program, for
18 industrial hemp seed in this state. A certification program under this paragraph
19 shall include the testing and certification of delta-9-tetrahydrocannabinol
20 concentrations in hemp plants from which certified seed is collected. Participation
21 in the certification program shall be voluntary for growers and cultivators producers
22 of industrial hemp. The department shall promulgate rules for the administration
23 of any certification program established and administered by the department under
24 this paragraph.

25 **SECTION 36.** 94.55 (2) (e) of the statutes is repealed.

1 **SECTION 37.** 94.55 (2) (f) of the statutes is created to read:

2 94.55 (2) (f) Before growing hemp, a hemp producer shall notify the department
3 of the variety of hemp the producer intends to grow. A hemp producer may not grow
4 hemp unless the department has approved the growth of that variety of hemp or the
5 variety of hemp is certified under par. (c).

6 **SECTION 38.** 94.55 (2g) of the statutes is created to read:

7 94.55 (2g) **NEGLIGENT VIOLATIONS.** (a) This subsection applies only to hemp
8 producers, and only if the department determines that the hemp producer has
9 negligently violated this section or rules promulgated under this section, including
10 by negligently doing any of the following:

11 1. Failing to provide a legal description of land on which the producer produces
12 hemp.

13 2. If required under federal law, failing to obtain a license or other required
14 authorization from the department or from the U.S. department of agriculture.

15 3. Producing *Cannabis sativa* L. with a delta-9-tetrahydrocannabinol
16 concentration of more than 0.3 percent on a dry weight basis.

17 (b) A hemp producer who negligently violates this section or rules promulgated
18 under this section shall comply with a plan established by the department to correct
19 the negligent violation, which shall include all of the following:

20 1. A reasonable date by which the hemp producer is required to correct the
21 negligent violation.

22 2. A requirement that the hemp producer periodically report to the department
23 on the compliance of the hemp producer with the department's plan for a period of
24 not less than the following 2 years.

1 (c) A hemp producer who negligently violates this section or rules promulgated
2 under this section 3 times in any 5-year period is ineligible to produce hemp for a
3 period of 5 years beginning on the date of the 3rd violation.

4 **SECTION 39.** 94.55 (2m) of the statutes is created to read:

5 94.55 (2m) GREATER VIOLATIONS. If the department determines that a hemp
6 producer has violated this section or rules promulgated under this section with a
7 culpable mental state greater than negligence, the department shall immediately
8 report the hemp producer to the U.S. attorney general and the department of justice.

9 **SECTION 40.** 94.55 (2p) of the statutes is created to read:

10 94.55 (2p) FELONY CONVICTIONS. No person may produce hemp in this state for
11 10 years following any felony conviction relating to a controlled substance under
12 state or federal law unless the person holds a valid license, registration, or other
13 authorization to produce hemp under a pilot program of any state authorized by
14 section 7606 of the federal agricultural act of 2014 on the effective date of this
15 subsection [LRB inserts date].

16 **SECTION 41.** 94.55 (2r) of the statutes is created to read:

17 94.55 (2r) FALSE STATEMENT. Any person who materially falsifies any
18 information contained in an application to participate in the hemp program
19 established under this section is ineligible to participate in the program.

20 **SECTION 42.** 94.55 (2t) of the statutes is created to read:

21 94.55 (2t) ACCESS TO CANNABIDIOL PRODUCTS. Nothing in this section or rules
22 promulgated under this section shall be construed as limiting a person's access to
23 cannabidiol products under s. 961.32 (2m) (b).

24 **SECTION 43.** 94.55 (3) of the statutes, as affected by 2019 Wisconsin Act (this
25 act), is repealed.

1 **SECTION 44.** 94.55 (3) (c) of the statutes is repealed.

2 **SECTION 45.** 94.55 (3m) of the statutes is created to read:

3 94.55 **(3m)** TRUTH IN LABELING. (a) No person may do any of the following:

4 1. Mislabel hemp or a hemp product.

5 2. Knowingly make an inaccurate claim about the content,
6 delta-9-tetrahydrocannabinol concentration, quality, or origin of hemp or a hemp
7 product in the course of transferring or selling the hemp or hemp product.

8 3. Knowingly sell at retail mislabelled hemp or hemp products.

9 (b) The department shall investigate violations of par. (a). The department, or
10 any district attorney or the department of justice upon the request of the department,
11 may on behalf of the state do any of the following:

12 1. Bring an action for temporary or permanent injunctive relief in any court of
13 competent jurisdiction for any violation of par. (a).

14 2. Bring an action in any court of competent jurisdiction for the recovery of a
15 civil forfeiture against any person who violates par. (a) in an amount not more than
16 \$1,000 for each violation.

17 (c) In addition to any other remedies provided by law, any person suffering a
18 pecuniary loss because of a violation of par. (a) may bring a civil action to recover
19 damages together with costs and disbursements, including reasonable attorney fees,
20 and for equitable relief as determined by the court.

21 **SECTION 46.** 94.55 (3r) of the statutes is created to read:

22 94.55 **(3r)** PRIVATE CAUSE OF ACTION FOR GROWERS. Any contract to purchase
23 hemp from a hemp grower in this state shall provide that payment will be made to
24 the grower within 7 days of taking possession of the hemp, unless the grower
25 voluntarily and knowingly agrees to a different method of payment. In addition to

1 any other remedies provided by law, any person suffering a pecuniary loss because
2 of a violation of this subsection may bring a civil action to recover damages together
3 with costs and disbursements, including reasonable attorney fees, and for equitable
4 relief as determined by the court.

5 SECTION 47. 94.67 (2) of the statutes is amended to read:

6 94.67 (2) "Agricultural commodity" means any plant or part of a plant, animal
7 or animal product produced by a person primarily for sale, consumption,
8 propagation, or other use by humans or animals. "Agricultural commodity" includes
9 industrial hemp.

10 SECTION 48. 94.67 (15c) of the statutes is created to read:

11 94.67 (15c) "Hemp" has the meaning given in s. 94.55 (1).

12 SECTION 49. 94.67 (15r) of the statutes is repealed.

13 SECTION 50. 97.02 of the statutes is amended to read:

14 **97.02 Standards; adulterated food.** For the purposes of this chapter, a food
15 is adulterated if it is adulterated within the meaning of 21 USC 342, except that the
16 department may not consider a food to be adulterated solely because it contains
17 industrial hemp, as defined in s. 94.67 (~~15r~~) (15c), or an industrial a hemp product.

18 SECTION 51. 182.001 (3) of the statutes is amended to read:

19 182.001 (3) PROHIBITED ACTIVITIES. Those farming operations prohibited under
20 this section are the production of dairy products not including the processing of such
21 dairy products; the production of cattle, hogs and sheep; and the production of wheat,
22 field corn, barley, oats, rye, hay, pasture, soybeans, millet and, sorghum, and hemp.

23 SECTION 52. 343.305 (5) (e) of the statutes is amended to read:

24 343.305 (5) (e) At the trial of any civil or criminal action or proceeding arising
25 out of the acts committed by a person alleged to have been driving or operating a

1 motor vehicle while having a detectable amount of a restricted controlled substance
2 in his or her blood, the results of a blood test administered in accordance with this
3 section are admissible on any issue relating to the presence of a detectable amount
4 of a restricted controlled substance other than delta-9-tetrahydrocannabinol in the
5 person's blood. Test results shall be given the effect required under s. 885.235.

6 **SECTION 53.** 343.305 (7) (a) of the statutes is amended to read:

7 343.305 (7) (a) If a person submits to chemical testing administered in
8 accordance with this section and any test results indicate the presence of a detectable
9 amount of a restricted controlled substance other than
10 delta-9-tetrahydrocannabinol in the person's blood or a prohibited alcohol
11 concentration, the law enforcement officer shall report the results to the department.

12 The person's operating privilege is administratively suspended for 6 months.

13 **SECTION 54.** 343.305 (8) (b) 2. bm. of the statutes is amended to read:

14 343.305 (8) (b) 2. bm. Whether the person had a prohibited alcohol
15 concentration or a detectable amount of a restricted controlled substance other than
16 delta-9-tetrahydrocannabinol in his or her blood at the time the offense allegedly
17 occurred.

18 **SECTION 55.** 343.305 (8) (b) 2. d. of the statutes is amended to read:

19 343.305 (8) (b) 2. d. If one or more tests were administered in accordance with
20 this section, whether each of the test results for those tests indicate the person had
21 a prohibited alcohol concentration or a detectable amount of a restricted controlled
22 substance other than delta-9-tetrahydrocannabinol in his or her blood.

23 **SECTION 56.** 343.305 (8) (b) 2. g. of the statutes is amended to read:

1 343.305 (8) (b) 2. g. Whether the person had a valid prescription for
2 methamphetamine or one of its metabolic precursors or gamma-hydroxybutyric acid
3 or ~~delta-9-tetrahydrocannabinol~~ in a case in which subd. 4m. a. and b. apply.

4 **SECTION 57.** 343.305 (8) (b) 4m. (intro.) of the statutes is amended to read:

5 343.305 (8) (b) 4m. (intro.) If, at the time the offense allegedly occurred, all of
6 the following apply, the hearing officer shall determine whether the person had a
7 valid prescription for methamphetamine or one of its metabolic precursors, or
8 gamma-hydroxybutyric acid, ~~or delta-9-tetrahydrocannabinol~~:

9 **SECTION 58.** 343.305 (8) (b) 4m. a. of the statutes is amended to read:

10 343.305 (8) (b) 4m. a. A blood test administered in accordance with this section
11 indicated that the person had a detectable amount of methamphetamine, or
12 gamma-hydroxybutyric acid, ~~or delta-9-tetrahydrocannabinol~~ but did not have a
13 detectable amount of any other restricted controlled substance other than
14 delta-9-tetrahydrocannabinol in his or her blood.

15 **SECTION 59.** 343.305 (8) (b) 5. b. of the statutes is amended to read:

16 343.305 (8) (b) 5. b. The person did not have a prohibited alcohol concentration
17 or a detectable amount of a restricted controlled substance other than
18 delta-9-tetrahydrocannabinol in his or her blood at the time the offense allegedly
19 occurred.

20 **SECTION 60.** 343.305 (8) (b) 5. c. of the statutes is amended to read:

21 343.305 (8) (b) 5. c. In a case in which subd. 4m. a. and b. apply, the person had
22 a valid prescription for methamphetamine or one of its metabolic precursors, or
23 gamma-hydroxybutyric acid, ~~or delta-9-tetrahydrocannabinol~~.

24 **SECTION 61.** 343.305 (8) (b) 6. b. of the statutes is amended to read:

1 343.305 (8) (b) 6. b. The person had a prohibited alcohol concentration or a
2 detectable amount of a restricted controlled substance other than
3 delta-9-tetrahydrocannabinol in his or her blood at the time the offense allegedly
4 occurred.

5 SECTION 62. 343.305 (9) (a) 5. a. of the statutes is amended to read:

6 343.305 (9) (a) 5. a. Whether the officer had probable cause to believe the
7 person was driving or operating a motor vehicle while under the influence of alcohol,
8 a controlled substance or a controlled substance analog or any combination of
9 alcohol, a controlled substance and a controlled substance analog, under the
10 influence of any other drug to a degree which renders the person incapable of safely
11 driving, or under the combined influence of alcohol and any other drug to a degree
12 which renders the person incapable of safely driving, having a restricted controlled
13 substance other than delta-9-tetrahydrocannabinol in his or her blood, or having a
14 prohibited alcohol concentration or, if the person was driving or operating a
15 commercial motor vehicle, an alcohol concentration of 0.04 or more and whether the
16 person was lawfully placed under arrest for violation of s. 346.63 (1), (2m) or (5) or
17 a local ordinance in conformity therewith or s. 346.63 (2) or (6), 940.09 (1) or 940.25.

18 SECTION 63. 343.307 (1) (d) of the statutes is amended to read:

19 343.307 (1) (d) Convictions under the law of another jurisdiction that prohibits
20 a person from refusing chemical testing or using a motor vehicle while intoxicated
21 or under the influence of a controlled substance or controlled substance analog, or
22 a combination thereof; with an excess or specified range of alcohol concentration;
23 while under the influence of any drug to a degree that renders the person incapable
24 of safely driving; or while having a detectable amount of a restricted controlled

1 substance other than delta-9-tetrahydrocannabinol in his or her blood, as those or
2 substantially similar terms are used in that jurisdiction's laws.

3 **SECTION 64.** 343.307 (2) (e) of the statutes is amended to read:

4 343.307 (2) (e) Convictions under the law of another jurisdiction that prohibits
5 a person from refusing chemical testing or using a motor vehicle while intoxicated
6 or under the influence of a controlled substance or controlled substance analog, or
7 a combination thereof; with an excess or specified range of alcohol concentration;
8 while under the influence of any drug to a degree that renders the person incapable
9 of safely driving; or while having a detectable amount of a restricted controlled
10 substance other than delta-9-tetrahydrocannabinol in his or her blood, as those or
11 substantially similar terms are used in that jurisdiction's laws.

12 **SECTION 65.** 343.31 (1) (am) of the statutes is amended to read:

13 343.31 (1) (am) Injury by the operation of a vehicle while under the influence
14 of an intoxicant, a controlled substance or a controlled substance analog, or any
15 combination of an intoxicant, a controlled substance and a controlled substance
16 analog, under the influence of any other drug to a degree which renders him or her
17 incapable of safely driving, or under the combined influence of an intoxicant and any
18 other drug to a degree which renders him or her incapable of safely driving or while
19 the person has a detectable amount of a restricted controlled substance other than
20 delta-9-tetrahydrocannabinol in his or her blood or has a prohibited alcohol
21 concentration and which is criminal under s. 346.63 (2).

22 **SECTION 66.** 343.31 (2) of the statutes is amended to read:

23 343.31 (2) The department shall revoke the operating privilege of any resident
24 upon receiving notice of the conviction of such person in another jurisdiction for an
25 offense therein which, if committed in this state, would have been cause for

1 revocation under this section or for revocation under s. 343.30 (1q). Such offenses
2 shall include violation of any law of another jurisdiction that prohibits a person from
3 using a motor vehicle while intoxicated or under the influence of a controlled
4 substance or controlled substance analog, or a combination thereof; with an excess
5 or specified range of alcohol concentration; while under the influence of any drug to
6 a degree that renders the person incapable of safely driving; or while having a
7 detectable amount of a restricted controlled substance other than
8 delta-9-tetrahydrocannabinol in his or her blood, as those or substantially similar
9 terms are used in that jurisdiction's laws. Upon receiving similar notice with respect
10 to a nonresident, the department shall revoke the privilege of the nonresident to
11 operate a motor vehicle in this state. Such revocation shall not apply to the operation
12 of a commercial motor vehicle by a nonresident who holds a valid commercial driver
13 license issued by another state.

14 **SECTION 67.** 343.315 (2) (a) 1m. of the statutes is amended to read:

15 343.315 (2) (a) 1m. Section 346.63 (1) (am) or a local ordinance in conformity
16 therewith or a law of a federally recognized American Indian tribe or band in this
17 state in conformity with s. 346.63 (1) (am) or the law of another jurisdiction that
18 prohibits a person from driving or operating a commercial motor vehicle while
19 having a detectable amount of a restricted controlled substance other than
20 delta-9-tetrahydrocannabinol in his or her blood, as those or substantially similar
21 terms are used in that jurisdiction's laws.

22 **SECTION 68.** 343.315 (2) (a) 6. of the statutes is amended to read:

23 343.315 (2) (a) 6. Section 346.63 (2) or (6), 940.09 (1) or 940.25 or a law of a
24 federally recognized American Indian tribe or band in this state in conformity with
25 s. 346.63 (2) or (6), 940.09 (1) or 940.25, or the law of another jurisdiction prohibiting

1 causing or inflicting injury, great bodily harm or death through use of a motor vehicle
2 while intoxicated or under the influence of alcohol, a controlled substance, a
3 controlled substance analog or a combination thereof, or with an alcohol
4 concentration of 0.04 or more or with an excess or specified range of alcohol
5 concentration, while under the influence of any drug to a degree that renders the
6 person incapable of safely driving, or while having a detectable amount of a
7 restricted controlled substance other than delta-9-tetrahydrocannabinol in the
8 person's blood, as those or substantially similar terms are used in that jurisdiction's
9 laws.

10 **SECTION 69.** 346.63 (1) (am) of the statutes is amended to read:

11 346.63 (1) (am) The person has a detectable amount of a restricted controlled
12 substance other than delta-9-tetrahydrocannabinol in his or her blood.

13 **SECTION 70.** 346.63 (1) (d) of the statutes is amended to read:

14 346.63 (1) (d) In an action under par. (am) that is based on the defendant
15 allegedly having a detectable amount of methamphetamine, or
16 gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol in his or her blood,
17 the defendant has a defense if he or she proves by a preponderance of the evidence
18 that at the time of the incident or occurrence he or she had a valid prescription for
19 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
20 acid, or delta-9-tetrahydrocannabinol.

21 **SECTION 71.** 346.63 (2) (a) 3. of the statutes is amended to read:

22 346.63 (2) (a) 3. The person has a detectable amount of a restricted controlled
23 substance other than delta-9-tetrahydrocannabinol in his or her blood.

24 **SECTION 72.** 346.63 (2) (b) 1. of the statutes is amended to read:

1 346.63 (2) (b) 1. In an action under this subsection, the defendant has a defense
2 if he or she proves by a preponderance of the evidence that the injury would have
3 occurred even if he or she had been exercising due care and he or she had not been
4 under the influence of an intoxicant, a controlled substance, a controlled substance
5 analog or a combination thereof, under the influence of any other drug to a degree
6 which renders him or her incapable of safely driving, or under the combined
7 influence of an intoxicant and any other drug to a degree which renders him or her
8 incapable of safely driving, did not have a prohibited alcohol concentration described
9 under par. (a) 2., or did not have a detectable amount of a restricted controlled
10 substance other than delta-9-tetrahydrocannabinol in his or her blood.

11 **SECTION 73.** 346.63 (2) (b) 2. of the statutes is amended to read:

12 346.63 (2) (b) 2. In an action under par. (a) 3. that is based on the defendant
13 allegedly having a detectable amount of methamphetamine, or
14 gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol in his or her blood,
15 the defendant has a defense if he or she proves by a preponderance of the evidence
16 that at the time of the incident or occurrence he or she had a valid prescription for
17 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
18 acid, or delta-9-tetrahydrocannabinol.

19 **SECTION 74.** 348.27 (18) (a) 1. f. of the statutes is amended to read:

20 348.27 (18) (a) 1. f. Industrial hemp Hemp, as defined in s. 94.67 (15r) (15c).

21 **SECTION 75.** 350.101 (1) (bm) of the statutes is amended to read:

22 350.101 (1) (bm) *Operating with a restricted controlled substance.* No person
23 may engage in the operation of a snowmobile with a detectable amount of a restricted
24 controlled substance other than delta-9-tetrahydrocannabinol in his or her blood.

25 **SECTION 76.** 350.101 (1) (e) of the statutes is amended to read:

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1 350.101 (1) (e) *Defenses*. In an action under par. (bm) that is based on the
2 defendant allegedly having a detectable amount of methamphetamine, or
3 gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol in his or her blood,
4 the defendant has a defense if he or she proves by a preponderance of the evidence
5 that at the time of the incident or occurrence he or she had a valid prescription for
6 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
7 acid, or delta-9-tetrahydrocannabinol.

8 **SECTION 77.** 350.101 (2) (bm) of the statutes is amended to read:

9 350.101 (2) (bm) *Causing injury while operating a snowmobile with a*
10 *detectable amount of a restricted controlled substance*. No person who has a
11 detectable amount of a restricted controlled substance other than
12 delta-9-tetrahydrocannabinol in his or her blood may cause injury to another person
13 by the operation of a snowmobile.

14 **SECTION 78.** 350.101 (2) (d) 1. of the statutes is amended to read:

15 350.101 (2) (d) 1. In an action under this subsection, the defendant has a
16 defense if he or she proves by a preponderance of the evidence that the injury would
17 have occurred even if he or she had been exercising due care and he or she had not
18 been under the influence of an intoxicant or did not have an alcohol concentration
19 of 0.08 or more or a detectable amount of a restricted controlled substance other than
20 delta-9-tetrahydrocannabinol in his or her blood.

21 **SECTION 79.** 350.101 (2) (d) 2. of the statutes is amended to read:

22 350.101 (2) (d) 2. In an action under par. (bm) that is based on the defendant
23 allegedly having a detectable amount of methamphetamine, or
24 gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol in his or her blood,
25 the defendant has a defense if he or she proves by a preponderance of the evidence

1 that at the time of the incident or occurrence he or she had a valid prescription for
2 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
3 acid, or delta-9-tetrahydrocannabinol.

4 **SECTION 80.** 350.104 (4) of the statutes is amended to read: 9

5 350.104 (4) **ADMISSIBILITY; EFFECT OF TEST RESULTS; OTHER EVIDENCE.** The results
6 of a chemical test required or administered under sub. (1), (2) or (3) are admissible
7 in any civil or criminal action or proceeding arising out of the acts committed by a
8 person alleged to have violated the intoxicated snowmobiling law on the issue of
9 whether the person was under the influence of an intoxicant or the issue of whether
10 the person had alcohol concentrations at or above specified levels or a detectable
11 amount of a restricted controlled substance other than
12 delta-9-tetrahydrocannabinol in his or her blood. Results of these chemical tests
13 shall be given the effect required under s. 885.235. This section does not limit the
14 right of a law enforcement officer to obtain evidence by any other lawful means.

15 **SECTION 81.** 351.02 (1) (a) 10. of the statutes is amended to read:

16 351.02 (1) (a) 10. Any offense committed by the person under the law of another
17 jurisdiction prohibiting conduct described in sections 6-207, 6-302, 10-102, 10-103,
18 10-104, 11-901, 11-902, 11-907 or 11-908 of the uniform vehicle code and model
19 traffic ordinance (1987), or prohibiting homicide or manslaughter resulting from the
20 operation of a motor vehicle, use of a motor vehicle in the commission of a felony,
21 reckless or careless driving or driving a motor vehicle with willful or wanton
22 disregard for the safety of persons or property, driving or operating a motor vehicle
23 while under the influence of alcohol, a controlled substance, a controlled substance
24 analog or any other drug or a combination thereof as prohibited, driving or operating
25 a motor vehicle while having a detectable amount of a restricted controlled substance

1 other than delta-9-tetrahydrocannabinol in the person's blood, refusal to submit to
2 chemical testing, perjury or the making false statements or affidavits to a
3 governmental agency in connection with the ownership or operation of a motor
4 vehicle, failing to stop and identify oneself as the driver or operator in the event of
5 a motor vehicle accident with a person or an attended motor vehicle or fleeing from
6 or attempting to elude a police, law enforcement or other peace officer, as those or
7 substantially similar terms are used in that jurisdiction's laws.

8 **SECTION 82.** 885.235 (1k) of the statutes is amended to read:

9 885.235 (1k) In any action or proceeding in which it is material to prove that
10 a person had a detectable amount of a restricted controlled substance in his or her
11 blood while operating or driving a motor vehicle or, if the vehicle is a commercial
12 motor vehicle, on duty time, while operating a motorboat, except a sailboat operating
13 under sail alone, while operating a snowmobile, while operating an all-terrain
14 vehicle or utility terrain vehicle, or while handling a firearm, if a chemical analysis
15 of a sample of the person's blood shows that the person had a detectable amount of
16 a restricted controlled substance other than delta-9-tetrahydrocannabinol in his or
17 her blood, the court shall treat the analysis as prima facie evidence on the issue of
18 the person having a detectable amount of a restricted controlled substance in his or
19 her blood without requiring any expert testimony as to its effect.

20 **SECTION 83.** 885.235 (4) of the statutes is amended to read:

21 885.235 (4) The provisions of this section relating to the admissibility of
22 chemical tests for alcohol concentration or intoxication or for determining whether
23 a person had a detectable amount of a restricted controlled substance in his or her
24 blood shall not be construed as limiting the introduction of any other competent
25 evidence bearing on the question of whether or not a person was under the influence

1 of an intoxicant, had a detectable amount of a restricted controlled substance other
2 than delta-9-tetrahydrocannabinol in his or her blood, had a specified alcohol
3 concentration, or had an alcohol concentration in the range specified in s. 23.33 (4c)
4 (a) 3., 23.335 (12) (a) 3., 30.681 (1) (bn), 346.63 (2m), or 350.101 (1) (c).

5 **SECTION 84.** 940.09 (1) (am) of the statutes is amended to read:

6 940.09 (1) (am) Causes the death of another by the operation or handling of a
7 vehicle while the person has a detectable amount of a restricted controlled substance
8 other than delta-9-tetrahydrocannabinol in his or her blood.

9 **SECTION 85.** 940.09 (1) (cm) of the statutes is amended to read:

10 940.09 (1) (cm) Causes the death of an unborn child by the operation or
11 handling of a vehicle while the person has a detectable amount of a restricted
12 controlled substance other than delta-9-tetrahydrocannabinol in his or her blood.

13 **SECTION 86.** 940.09 (1g) (am) of the statutes is amended to read:

14 940.09 (1g) (am) Causes the death of another by the operation or handling of
15 a firearm or airgun while the person has a detectable amount of a restricted
16 controlled substance other than delta-9-tetrahydrocannabinol in his or her blood.

17 **SECTION 87.** 940.09 (2) (a) of the statutes is amended to read:

18 940.09 (2) (a) In any action under this section, the defendant has a defense if
19 he or she proves by a preponderance of the evidence that the death would have
20 occurred even if he or she had been exercising due care and he or she had not been
21 under the influence of an intoxicant, did not have a detectable amount of a restricted
22 controlled substance other than delta-9-tetrahydrocannabinol in his or her blood,
23 or did not have an alcohol concentration described under sub. (1) (b), (bm), (d) or (e)
24 or (1g) (b) or (d).

25 **SECTION 88.** 940.09 (2) (b) of the statutes is amended to read:

1 940.09 (2) (b) In any action under sub. (1) (am) or (cm) or (1g) (am) or (cm) that
2 is based on the defendant allegedly having a detectable amount of
3 methamphetamine or gamma-hydroxybutyric acid or
4 delta-9-tetrahydrocannabinol in his or her blood, the defendant has a defense if he
5 or she proves by a preponderance of the evidence that at the time of the incident or
6 occurrence he or she had a valid prescription for methamphetamine or one of its
7 metabolic precursors or gamma-hydroxybutyric acid or
8 delta-9-tetrahydrocannabinol.

9 **SECTION 89.** 940.25 (1) (am) of the statutes is amended to read:

10 940.25 (1) (am) Causes great bodily harm to another human being by the
11 operation of a vehicle while the person has a detectable amount of a restricted
12 controlled substance other than delta-9-tetrahydrocannabinol in his or her blood.

13 **SECTION 90.** 940.25 (1) (cm) of the statutes is amended to read:

14 940.25 (1) (cm) Causes great bodily harm to an unborn child by the operation
15 of a vehicle while the person has a detectable amount of a restricted controlled
16 substance other than delta-9-tetrahydrocannabinol in his or her blood.

17 **SECTION 91.** 940.25 (2) (a) of the statutes is amended to read:

18 940.25 (2) (a) The defendant has a defense if he or she proves by a
19 preponderance of the evidence that the great bodily harm would have occurred even
20 if he or she had been exercising due care and he or she had not been under the
21 influence of an intoxicant, did not have a detectable amount of a restricted controlled
22 substance other than delta-9-tetrahydrocannabinol in his or her blood, or did not
23 have an alcohol concentration described under sub. (1) (b), (bm), (d) or (e).

24 **SECTION 92.** 940.25 (2) (b) of the statutes is amended to read:

1 940.25 (2) (b) In any action under this section that is based on the defendant
2 allegedly having a detectable amount of methamphetamine, or
3 gamma-hydroxybutyric acid, ~~or delta-9-tetrahydrocannabinol~~ in his or her blood,
4 the defendant has a defense if he or she proves by a preponderance of the evidence
5 that at the time of the incident or occurrence he or she had a valid prescription for
6 methamphetamine or one of its metabolic precursors, or gamma-hydroxybutyric
7 acid, ~~or delta-9-tetrahydrocannabinol~~.

8 **SECTION 93.** 941.20 (1) (bm) of the statutes is amended to read:

9 941.20 (1) (bm) Operates or goes armed with a firearm while he or she has a
10 detectable amount of a restricted controlled substance other than
11 delta-9-tetrahydrocannabinol in his or her blood. A defendant has a defense to any
12 action under this paragraph that is based on the defendant allegedly having a
13 detectable amount of methamphetamine, or gamma-hydroxybutyric acid, ~~or~~
14 ~~delta-9-tetrahydrocannabinol~~ in his or her blood, if he or she proves by a
15 preponderance of the evidence that at the time of the incident or occurrence he or she
16 had a valid prescription for methamphetamine or one of its metabolic precursors, or
17 gamma-hydroxybutyric acid, ~~or delta-9-tetrahydrocannabinol~~.

18 **SECTION 94.** 961.01 (3r) of the statutes is created to read:

19 961.01 (3r) "Cannabidiol product" means a derivative or extract of the plant
20 Cannabis sativa L. that contains cannabidiol and a delta-9-tetrahydrocannabinol
21 concentration at a level without a psychoactive effect.

22 **SECTION 95.** 961.01 (14) of the statutes is amended to read:

23 961.01 (14) "Marijuana" means all parts of the plants of the genus Cannabis,
24 whether growing or not; the seeds thereof; the resin extracted from any part of the
25 plant; and every compound, manufacture, salt, derivative, mixture or preparation of

1 the plant, its seeds or resin, including tetrahydrocannabinols. "Marijuana" does
2 include the mature stalks if mixed with other parts of the plant, but does not include
3 fiber produced from the stalks, oil or cake made from the seeds of the plant, any other
4 compound, manufacture, salt, derivative, mixture or preparation of the mature
5 stalks (except the resin extracted therefrom), fiber, oil or cake or the sterilized seed
6 of the plant which is incapable of germination. "Marijuana" does not include hemp,
7 as defined in s. 94.55 (1).

8 **SECTION 96.** 961.14 (4) (t) 1. of the statutes is amended to read:

9 961.14 (4) (t) 1. ~~Cannabidiol in a form without a psychoactive effect~~
10 Tetrahydrocannabinols contained in a cannabidiol product that is dispensed as
11 provided in s. 961.38 (1n) (a) or that is possessed as provided in s. 961.32 (2m) (b).

12 **SECTION 97.** 961.14 (4) (t) 3. of the statutes is created to read:

13 961.14 (4) (t) 3. Tetrahydrocannabinols contained in hemp, as defined in s.
14 94.55 (1).

15 **SECTION 98.** 961.32 (2m) (b) of the statutes is amended to read:

16 961.32 (2m) (b) An individual may possess ~~a cannabidiol in a form without a~~
17 ~~psychoactive effect product~~ if the individual has certification stating that the
18 individual possesses a cannabidiol product to treat a medical condition, if the
19 certification has an issue date that is no more than one year prior to the possession,
20 and if any expiration date provided by the physician in the certification has not
21 passed. A certification is not required to possess hemp, as defined in s. 94.55 (1), or
22 a prescription drug product that has been approved by the U.S. food and drug
23 administration.

24 **SECTION 99.** 961.32 (3) (a) 1. and 2. of the statutes are amended to read:

SECTION 99

1 961.32 (3) (a) 1. ~~“Hemp”~~ “Cannabis” means the plant *Cannabis sativa*, ~~or L.~~ and
2 any part of the that plant, including the seeds thereof and all derivatives, extracts,
3 cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not.

4 2. “Industrial hemp” “Hemp” has the meaning given in s. 94.55 (1).

5 **SECTION 100.** 961.32 (3) (b) (intro.) of the statutes is amended to read:

6 961.32 (3) (b) (intro.) A person who is ~~acting in accordance with~~ not otherwise
7 violating s. 94.55 or rules promulgated by the department of agriculture, trade and
8 consumer protection under s. 94.55 (2) ~~(b)~~ may not be prosecuted for a criminal
9 offense under this chapter, or under any ~~municipal~~ an ordinance ~~that prohibits~~
10 ~~conduct that is the same as that prohibited under this chapter enacted under s. 59.54~~
11 (25) or 66.0107 (1) (bm), for any of the following:

12 **SECTION 101.** 961.32 (3) (b) 1. of the statutes is amended to read:

13 961.32 (3) (b) 1. Planting, growing, cultivating, harvesting, producing,
14 processing, or transporting hemp cannabis that contains a
15 delta-9-tetrahydrocannabinol concentration of the crop of not more than 0.7 percent
16 above the permissible limit for industrial hemp on a dry weight basis or that is grown
17 from industrial hemp seed certified under s. 94.55 (2) (c) or approved for growing by
18 the department of agriculture, trade and consumer protection under s. 94.55 (2) (f).

19 **SECTION 102.** 961.32 (3) (b) 2. of the statutes is repealed.

20 **SECTION 103.** 961.32 (3) (b) 3. of the statutes is amended to read:

21 961.32 (3) (b) 3. Selling, transferring, importing, exporting, processing,
22 transporting, harvesting, or taking possession of hemp cannabis that has been
23 ~~certified under s. 94.55 (2) (c) tested and certified,~~ by ~~a laboratory authorized the~~
24 department of agriculture, trade and consumer protection or a person approved by
25 ~~the department of agriculture, trade and consumer protection to test the~~

1 ~~delta-9-tetrahydrocannabinol concentration in hemp under s. 94.55 (2) (b) 4g., as~~
2 ~~meeting the permissible delta-9-tetrahydrocannabinol concentration limit for~~
3 ~~industrial hemp if the person has no reason to believe that the test certification is~~
4 ~~incorrect.~~

5 **SECTION 104.** 961.32 (3) (b) 4. of the statutes is amended to read:

6 961.32 (3) (b) 4. Possessing hemp ~~with cannabis that contains a~~
7 ~~delta-9-tetrahydrocannabinol concentration of not more than 0.7 percent above the~~
8 ~~permissible level limit for industrial hemp if the hemp was certified under s. 94.55~~
9 ~~(2) (c) at the time the possessor took possession as meeting the permissible~~
10 ~~concentration limit for industrial hemp and the possessor had no reason to believe~~
11 ~~at that time that the certification was incorrect on a dry weight basis if the possessor~~
12 ~~reconditions or processes the cannabis to a delta-9-tetrahydrocannabinol~~
13 ~~concentration at or below the permissible limit for hemp with the approval of the~~
14 ~~department of agriculture, trade and consumer protection of those actions.~~

15 **SECTION 105.** 961.32 (3) (b) 4m. of the statutes is created to read:

16 961.32 (3) (b) 4m. Temporarily possessing cannabis during the normal course
17 of processing hemp if the possessor reconditions or processes the cannabis to a
18 delta-9-tetrahydrocannabinol concentration at or below the permissible limit for
19 hemp within a reasonable amount of time.

20 **SECTION 106.** 961.32 (3) (b) 4r. of the statutes is created to read:

21 961.32 (3) (b) 4r. Possessing cannabis purchased or obtained at retail that
22 contains a delta-9-tetrahydrocannabinol concentration of not more than 0.7 percent
23 above the permissible limit for hemp if the possessor has no reason to believe that
24 the cannabis contains a delta-9-tetrahydrocannabinol concentration above the
25 permissible limit for hemp.

SECTION 107

1 **SECTION 107.** 961.32 (3) (b) 5. of the statutes is amended to read:

2 961.32 (3) (b) 5. Taking samples of hemp cannabis, transporting samples to a
3 testing facility, or testing samples for their delta-9-tetrahydrocannabinol
4 concentration or for the presence of other substances.

5 **SECTION 108.** 961.32 (3) (c) of the statutes is amended to read:

6 961.32 (3) (c) A person who ~~plants, grows, cultivates, harvests, samples, tests,~~
7 ~~processes, transports, transfers, takes possession of, sells, imports, or exports~~
8 ~~industrial hemp in violation of~~ violates s. 94.55 or a rule promulgated under s. 94.55
9 (2) (b) may not be prosecuted under s. 94.55 or this chapter unless the person is
10 referred to the district attorney for the county in which the violation occurred or to
11 the department of justice by the department of agriculture, trade and consumer
12 protection, and may not be prosecuted under ~~a municipal~~ an ordinance that
13 ~~prohibits the same conduct as is prohibited under this chapter~~ enacted under s. 59.54
14 (25) or 66.0107 (1) (bm), unless the person is referred to the local law-enforcement
15 prosecuting authority by the department of agriculture, trade and consumer
16 protection.

17 **SECTION 109.** 961.32 (3) (cm) of the statutes is created to read:

18 961.32 (3) (cm) A hemp producer that negligently violates s. 94.55 or a rule
19 promulgated under s. 94.55, as described under s. 94.55 (2g) (a), may not be
20 prosecuted under s. 94.55 or this chapter or an ordinance enacted under s. 59.54 (25)
21 or 66.0107 (1) (bm).

22 **SECTION 110.** 961.32 (3) (d) of the statutes is amended to read:

23 961.32 (3) (d) Notwithstanding s. 961.41 (4) (am) 2. a., engaging in an activity
24 described under ~~par. (b)~~ s. 94.55 (2) (a) does not constitute prima facie evidence of a
25 prohibited representation under s. 961.41 (4) (am) 1. a. or b.

1 **SECTION 111.** 961.34 (2) (a) of the statutes is amended to read:

2 961.34 (2) (a) Upon the request of any physician, the controlled substances
3 board shall aid the physician in applying for and processing an investigational drug
4 permit under 21 USC 355 (i) for cannabidiol as treatment for a ~~seizure disorder~~
5 medical condition. If the federal food and drug administration issues an
6 investigational drug permit, the controlled substances board shall approve which
7 pharmacies and physicians may dispense cannabidiol products to patients.

8 **SECTION 112.** 961.34 (2) (b) of the statutes is amended to read:

9 961.34 (2) (b) If cannabidiol is products other than hemp are removed from the
10 list of controlled substances, or if cannabidiol is products are determined not to be
11 ~~a controlled substance~~ substances, under schedule I of 21 USC 812 (c), the controlled
12 substances board shall approve which pharmacies and physicians may dispense
13 cannabidiol products to patients as treatment for a ~~seizure disorder~~ medical
14 condition.

15 **SECTION 113.** 961.38 (1n) (a) of the statutes is amended to read:

16 961.38 (1n) (a) A pharmacy or physician approved under s. 961.34 (2) (a) or (b)
17 may dispense cannabidiol ~~in a form without a psychoactive effect~~ products as a
18 treatment for a medical condition.

19 **SECTION 114.** 961.38 (1n) (b) of the statutes is amended to read:

20 961.38 (1n) (b) A physician licensed under s. 448.04 (1) (a) may issue an
21 individual a certification, as defined in s. 961.32 (2m) (a), stating that the individual
22 possesses a cannabidiol product to treat a medical condition ~~if the cannabidiol is in~~
23 ~~a form without a psychoactive effect~~.

24 **SECTION 115.** 961.442 (intro.) of the statutes is amended to read:

1 **961.442 Penalties; industrial hemp.** (intro.) If a person attempts to conceal
2 the commission of a crime under this chapter while representing that he or she is
3 engaging in the planting, growing, cultivating, harvesting, producing, processing,
4 transporting, importing, exporting, selling, transferring, sampling, testing, or
5 taking possession of industrial hemp, the maximum term of imprisonment
6 prescribed by law for that crime may be increased as follows:

7 **SECTION 116.** 961.55 (9) of the statutes is amended to read:

8 **961.55 (9)** If a crop intended to be industrial hemp, as defined in s. 94.55 (1),
9 is tested for delta-9-tetrahydrocannabinol levels and the average concentration of
10 delta-9-tetrahydrocannabinol ~~in a whole dry plant~~ is found to exceed 0.7 percent
11 above the permissible limit for industrial hemp on a dry weight basis, as tested using
12 post-decarboxylation or other similarly reliable methods, the entire crop ~~on the field~~
13 at the growing location where the plant was found shall be seized and destroyed.
14 Before a crop is seized and destroyed under this subsection, the agency whose officers
15 or employees intend to seize and destroy the crop shall provide, to the person licensed
16 under s. 94.55 (3) to grow the crop or to the person's agent or employee, written
17 documentation verifying the test results for the crop that is subject to seizure and
18 destruction.

19 **SECTION 117.** 967.055 (1) (a) of the statutes is amended to read:

20 **967.055 (1) (a)** The legislature intends to encourage the vigorous prosecution
21 of offenses concerning the operation of motor vehicles by persons under the influence
22 of an intoxicant, a controlled substance, a controlled substance analog or any
23 combination of an intoxicant, controlled substance and controlled substance analog,
24 under the influence of any other drug to a degree which renders him or her incapable
25 of safely driving, or under the combined influence of an intoxicant and any other drug

1 to a degree which renders him or her incapable of safely driving or having a
2 prohibited alcohol concentration, as defined in s. 340.01 (46m), offenses concerning
3 the operation of motor vehicles by persons with a detectable amount of a restricted
4 controlled substance other than delta-9-tetrahydrocannabinol in his or her blood,
5 and offenses concerning the operation of commercial motor vehicles by persons with
6 an alcohol concentration of 0.04 or more.

7 **SECTION 118.** 967.055 (2) (a) of the statutes is amended to read:

8 967.055 (2) (a) Notwithstanding s. 971.29, if the prosecutor seeks to dismiss
9 or amend a charge under s. 346.63 (1) or (5) or a local ordinance in conformity
10 therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the
11 use of a vehicle or an improper refusal under s. 343.305, the prosecutor shall apply
12 to the court. The application shall state the reasons for the proposed amendment or
13 dismissal. The court may approve the application only if the court finds that the
14 proposed amendment or dismissal is consistent with the public's interest in deterring
15 the operation of motor vehicles by persons who are under the influence of an
16 intoxicant, a controlled substance, a controlled substance analog or any combination
17 of an intoxicant, controlled substance and controlled substance analog, under the
18 influence of any other drug to a degree which renders him or her incapable of safely
19 driving, or under the combined influence of an intoxicant and any other drug to a
20 degree which renders him or her incapable of safely driving, in deterring the
21 operation of motor vehicles by persons with a detectable amount of a restricted
22 controlled substance other than delta-9-tetrahydrocannabinol in his or her blood,
23 or in deterring the operation of commercial motor vehicles by persons with an alcohol
24 concentration of 0.04 or more. The court may not approve an application to amend
25 the vehicle classification from a commercial motor vehicle to a noncommercial motor

1 vehicle unless there is evidence in the record that the motor vehicle being operated
2 by the defendant at the time of his or her arrest was not a commercial motor vehicle.

(NS 46-3)
3 **SECTION 119. Nonstatutory provisions.**

4 (1) EMERGENCY RULES. When promulgating rules under s. 94.55, the
5 department of agriculture, trade and consumer protection may, as necessary, use the
6 procedure under s. 227.24 to promulgate emergency rules. Notwithstanding s.
7 227.24 (1) (a) and (3), when promulgating emergency rules under this subsection, the
8 department is not required to provide evidence that promulgating a rule under this
9 subsection as an emergency rule is necessary for the preservation of the public peace,
10 health, safety, or welfare and is not required to provide a finding of emergency for a
11 rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (c) and (2),
12 emergency rules promulgated under this subsection remain in effect for 2 years or
13 until the date on which permanent rules take effect, whichever so sooner.
14 Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under
15 this subsection, the department is not required to prepare a statement of scope of the
16 rules or to submit the proposed rules in final draft form to the governor for approval.

17 (2) NOTIFICATION. The department of agriculture, trade and consumer
18 protection shall notify the legislative reference bureau when the secretary of the U.S.
19 department of agriculture establishes a plan under section 297C of the Agricultural
20 Marketing Act of 1946. The legislative reference bureau shall publish a notice in the
21 Wisconsin Administrative Register that specifies the date on which s. 94.55 (3) is
22 repealed, as determined under SECTION 121 (1) of this act.

23 (3) HEMP POSITIONS. The authorized FTE positions for the department of
24 agriculture, trade and consumer protection are increased by 3.0 GPR positions on

1 July 1, 2019, to be funded from the appropriation under s. 20.115 (7) (f), for the
2 purpose of regulating activities relating to hemp under s. 94.55.

3 **SECTION 120. Fiscal changes.**

4 (1) PURCHASE OF MACHINERY. In the schedule under s. 20.005 (3) for the
5 appropriation to the department of agriculture, trade and consumer protection
6 under s. 20.115 (7) (a), the dollar amount for fiscal year 2018-19 is increased by
7 \$300,000 for the purchase or acquisition of machinery and other assets for the hemp
8 program under s. 94.55.

9 **SECTION 121. Effective dates.** This act takes effect on the day after
10 publication, except as follows:

11 (1) The repeal of s. 94.55 (3) (by SECTION 43) takes effect one year after the date
12 on which the secretary of the U.S. department of agriculture establishes a plan under
13 section 297C of the Agricultural Marketing Act of 1946.

14 (END)

SA
Xref ✓

**2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2612/P2ins

ZDW:... GMM

INS A

15. Removes THC from the definition of “restricted controlled substance” as applicable to the operation of a motor vehicle, an all-terrain vehicle, a utility terrain vehicle, an off-highway motorcycle, a snowmobile, or a motorboat and the handling of a firearm.

INS 5-18

SECTION 1. 23.33 (1) (jo) 5. of the statutes is repealed.

INS 7-16

SECTION 2. 23.335 (1) (zgm) 5. of the statutes is repealed.

INS 9-10

SECTION 3. 30.50 (10m) (e) of the statutes is repealed.

INS 20-23

SECTION 4. 340.01 (50m) (e) of the statutes is repealed.

INS 26-25

SECTION 5. 350.01 (10v) (e) of the statutes is repealed.

INS 30-25

SECTION 6. 885.235 (1) (d) 5. of the statutes is repealed.

SECTION 7. 939.22 (33) (e) of the statutes is repealed.

INS 40-3

SECTION 8. 967.055 (1m) (b) 5. of the statutes is repealed.

Pfotenhauer, Mary

From: Sen.Testin
Sent: Thursday, April 04, 2019 1:55 PM
To: Pfotenhauer, Mary; Wyatt, Zachary
Cc: Kurtz, Tony; Heitman, Kathryn
Subject: FW: Draft review: LRB -2612/P2
Attachments: 19-2612/P2.pdf

Please turn this draft into an introducible bill.

Also, please create a companion for Rep. Kurtz

From: LRB.Legal <lrblegal@legis.wisconsin.gov>
Sent: Tuesday, April 02, 2019 3:59 PM
To: Sen.Testin <Sen.Testin@legis.wisconsin.gov>
Subject: Draft review: LRB -2612/P2

Following is the PDF version of draft LRB -2612/P2.