



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 194
[2013 Assembly Bill 447]

Immunity From Criminal Prosecution for Aiding a Person Experiencing a Drug Overdose

2013 Wisconsin Act 194 (hereinafter, “the Act”) provides immunity from criminal prosecution for both the possession of drug paraphernalia and possession of a controlled substance, or controlled substance analog, under the circumstances surrounding or leading to his or her commission of acting as an “aider.” A person may be considered an “aider” if both of the following apply:

- The other person is, or the person believes him or her to be, suffering from an overdose of, or other adverse reaction to, any controlled substance or controlled substance analog.
- The person did any of the following:
 - Brings another person to an emergency room, hospital, fire station, or other health care facility.
 - Summons a law enforcement officer, ambulance, emergency medical technician, or other health care provider, to assist another person.
 - Dials the telephone number “911” or, in an area in which “911” is not available, the number for an emergency medical service provider, to obtain assistance for another person.

Effective date: The Act takes effect on April 9, 2014.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.