



2009 ASSEMBLY BILL 186

April 2, 2009 - Introduced by Representatives CULLEN, STASKUNAS, RICHARDS, GUNDERSON, BERCEAU, NASS, KLEEFISCH, BIES and SPANBAUER, cosponsored by Senators PLALE, TAYLOR and LEHMAN. Referred to Committee on Public Health.

1 **AN ACT to create** 941.318 of the statutes; **relating to:** salvinorin A and providing
2 a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits manufacturing, distributing, or delivering salvinorin A, a psychotropic ingredient in the plant *Salvia divinorum*, with the intent that it be consumed by a person. However, the prohibition does not apply to manufacturing a form of salvinorin A that is recognized by the U.S. Food and Drug Administration as a homeopathic drug and that may be obtained from a retail store without a prescription, or to distributing or delivering such a form of salvinorin A to a person who is 18 years of age or older. The penalty for violating the prohibition is a fine not to exceed \$10,000.

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

3 **SECTION 1.** 941.318 of the statutes is created to read:
4 **941.318 Salvia divinorum.** (1) In this section:
5 (a) "Deliver," with respect to salvinorin A, has the same meaning given in s.
6 961.01 (6) with respect to a controlled substance or controlled substance analog.

