

2001 ASSEMBLY BILL 661

December 3, 2001 – Introduced by Representatives PETTIS, SUDER, KRAWCZYK, MUSSER, SYKORA, BIES, FREESE and OTT, cosponsored by Senators HARSDORF, DARLING and ROESSLER. Referred to Committee on Criminal Justice.

- 1 **AN ACT to create** 961.573 (4) of the statutes; **relating to:** possession with intent
2 to use or use of drug paraphernalia and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits possession with intent to use or use of drug paraphernalia for a variety of activities including growing, making, processing, analyzing, or storing a controlled substance. The penalty for violating this prohibition is confinement in jail for not more than 30 days or a fine not to exceed \$500 or both. If the paraphernalia is for prohibited activities related to methamphetamine or a controlled substance analog of methamphetamine, the penalty is a term of imprisonment (consisting of confinement in prison followed by extended supervision) not to exceed five years or a fine not to exceed \$10,000 or both.

This bill increases the penalty for possession with intent to use or use of drug paraphernalia for prohibited activities related to methamphetamine or a controlled substance analog of methamphetamine, to a term of imprisonment not to exceed 10 years or a fine not to exceed \$20,000 or both, if the possession or use occurs on a premises where a person who is under the age of 18 resides.

For further information see the *state and local* 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:

ASSEMBLY BILL 661

1 **SECTION 1.** 961.573 (4) of the statutes is created to read:

2 961.573 (4) Any person who violates sub. (3) while on a premises where a
3 person who is under age 18 resides may be fined not more than \$20,000 or imprisoned
4 for not more than 10 years or both.

5 **(END)**