



---

---

## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

---

---

<b>2003 Wisconsin Act 193</b> [2003 Assembly Bill 715]	<b>Ordinances Relating to Possession of Marijuana and Drug Paraphernalia</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

2003 Wisconsin Act 193 provides that, in Milwaukee County, a county ordinance prohibiting the possession of 25 grams or less of marijuana applies in every municipality in the county. The Act also allows Milwaukee County to enact an ordinance prohibiting possession, manufacture, and delivery of drug paraphernalia.

Current law prohibits the possession of marijuana. A person who violates this prohibition is subject to criminal penalties. Current law also permits a county or municipality to enact and enforce an ordinance prohibiting the possession of 25 grams or less of marijuana. The penalty for violating such an ordinance is a forfeiture. If a municipality enacts such an ordinance, any comparable ordinance enacted by the county does not apply in that municipality. The Act creates an exception to this provision under which, in Milwaukee County, a county ordinance prohibiting the possession of 25 grams or less of marijuana applies in every municipality within the county.

Current law also provides criminal penalties for the possession, manufacture, and delivery of drug paraphernalia. Municipalities may enact and enforce ordinances prohibiting the possession, manufacture, and delivery of drug paraphernalia. The Act allows Milwaukee County to enact and enforce a drug paraphernalia ordinance.

**Effective Date:** Act 193 becomes effective on April 22, 2004.

**Prepared by:** Anne Sappenfield, Senior Staff Attorney

April 23, 2004

AS:tlu

---

---

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.