

2005 DRAFTING REQUEST

Senate Amendment (SA-AB258)

Received: 02/24/2006

Received By: jkreye

Wanted: Today

Identical to LRB:

For: Tim Carpenter (608) 266-8535

By/Representing: stuart

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Addl. Drafters:

Subject: Tax, Other - sales

Extra Copies:

Submit via email: YES

Requester's email: Sen.Carpenter@legis.state.wi.us

Carbon copy (CC:) to: joseph.kreye@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

Prescription drug labels; sales tax exemption for nonprescription drugs

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 02/24/2006	lkunkel 02/27/2006		_____			
/1			rschluet 02/27/2006	_____	lnorthro 02/27/2006	lnorthro 02/27/2006	

FE Sent For:

<END>

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/?	jkreye	1/mk 2/27					
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FE Sent For:

<END>

Kreye, Joseph

From: Sundberg, Christopher
Sent: Friday, February 24, 2006 1:24 PM
To: Kreye, Joseph
Subject: FW: Message for Christopher Sundberg

I see that AB 894 (tax exemption for nonprescription drugs) was your draft. Is this yours?

From: Ewy, Stuart
Sent: Friday, February 24, 2006 1:21 PM
To: LRB.Legal; Sundberg, Christopher
Subject: Message for Christopher Sundberg

Christopher Sundberg

Hello-

I see that you are the drafter for AB 258. Tim Carpenter would like a bill AB 894 drafted as an amendment to AB 258.

Can you draft this amendment?

Thank you!

Regards,

G. Stuart Ewy
Chief of Staff
Office of Senator Tim Carpenter
State Capitol 126 S
608.266.8535

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 258**

September 2, 2005 – Offered by Representative GIELOW.

1 AN ACT *to create* 450.11 (4m) of the statutes; **relating to:** prescription drug
2 labels.

Analysis by the Legislative Reference Bureau

Under current law, a pharmacist may dispense a drug product that has been designated by the federal Food and Drug Administration (FDA) as the therapeutic equivalent of the drug product that is prescribed (drug product equivalent), if the drug product equivalent is cheaper. Current law also requires a prescription drug label to specify certain information, including the name and address of the practitioner who prescribed the drug, the date on which the prescription was dispensed, the name of the patient, and directions for the use of the drug product or device.

This substitute amendment permits a pharmacist who substitutes a drug product equivalent for a brand name drug product to include a statement on the label identifying the prescribed brand name drug product, unless the prescribing practitioner requests omission of the brand name.

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

3 SECTION 1. 450.11 (4m) of the statutes is created to read:

2005

Date (time) needed

Monday 2-27

LRBa 249511

AMENDMENT

vk: mk:

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

TO S A AMENDMENT (LRBa /),

TO S A SUBSTITUTE AMENDMENT (LRBs /),

TO 2005 SB SJR SR AB AJR AR 258 (LRB- /)

At the locations indicated, amend the bill, as shown by [assembly substitute amendment] as follows: (fill ONLY if "engrossed" or "as shown by")

#. Page 1, line 1: after "label" insert "and a sales and use tax exemption for nonprescription drugs"

#. Page 1, line 3: before that line insert "INSERT A"

#. Page 1, line 3: delete "SECTION 1" and substitute "SECTION 1m"

#. Page 2, line 12: delete "This act" and substitute "The treatment of section 450.11(4m) of the statute"

#. Page 2, line 13: after that line insert "INSERT B"

2005 ASSEMBLY BILL 894

December 29, 2005 - Introduced by Representatives BLACK, BOYLE, LEHMAN, TRAVIS, CULLEN, POCAN, BERCEAU, SEIDEL and FIELDS, cosponsored by Senators CARPENTER and HANSEN. Referred to Joint Survey Committee on Tax Exemptions.

1 AN ACT *to create* 77.54 (14v) of the statutes; **relating to:** a sales tax and use tax
2 exemption for nonprescription drugs.

Analysis by the Legislative Reference Bureau

This bill creates a sales tax and use tax exemption for nonprescription drugs. This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill. 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:

3 SECTION 1. 77.54 (14v) of the statutes is created to read:

4 77.54 (14v) The gross receipts from the sale of and the storage, use, or other
5 consumption of drugs that may be sold without a prescription and that are for human
6 consumption only, prepackaged for use by consumers, and labeled in accordance with
7 the requirements of state and federal law.

8 SECTION 2. Effective date.

INSERT A

INSERT B

LPS:
Pischy
comp.
eff date

NO A

ins B can't

ASSEMBLY BILL 894

2

1

(1) ~~NONPRESCRIPTION DRUGS~~ ^{ADP} This act takes effect on the ~~first~~ day of the ~~2nd~~

2

~~month beginning~~ after publication ~~except that if~~ as follows

3

~~(END)~~

¶ 1 The treatment of section 77.54 (14v) of the statute takes effect on the first day of the 2nd month beginning after publication. E