

## 2005 ASSEMBLY BILL 48

1     **AN ACT** *to renumber and amend* 961.573 (3); and *to create* 948.015 (8) and  
2           961.573 (3) (b) 2. of the statutes; **relating to:** use of, and possession with intent  
3           to use, certain drug paraphernalia and providing a penalty.

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*Analysis by the Legislative Reference Bureau*

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

4           **SECTION 1g.** 948.015 (8) of the statutes is created to read:

5           948.015 **(8)** Section 961.573 (3) (b) 2., relating to the use or possession of  
6           methamphetamine-related drug paraphernalia in the presence of a child who is 14  
7           years of age or younger.

8           **SECTION 1r.** 961.573 (3) of the statutes is renumbered 961.573 (3) (a) and  
9           amended to read:

10           961.573 **(3)** (a) No person may use, or possess with the primary intent to use,  
11           drug paraphernalia to manufacture, compound, convert, produce, process, prepare,

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1 test, analyze, pack, repack, or store methamphetamine or a controlled substance  
2 analog of methamphetamine in violation of this chapter. Any

3 (b) 1. Except as provided in subd. 2., any person who violates this subsection  
4 par. (a) is guilty of a Class H felony.

5 **SECTION 2.** 961.573 (3) (b) 2. of the statutes is created to read:

6 961.573 **(3)** (b) 2. Any person who is 18 years of age or older and who violates  
7 par. (a) while in the presence of a child who is 14 years of age or younger is guilty of  
8 a Class G felony.

9 (END)