

2005 Assembly Bill 48

Date of enactment: **April 5, 2006**  
Date of publication\*: **April 19, 2006**

## 2005 WISCONSIN ACT 263

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

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

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

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

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

961.573 (3) (a) No person may use, or possess with the primary intent to use, drug paraphernalia to manufac-

ture, compound, convert, produce, process, prepare, test, analyze, pack, repack, or store methamphetamine or a controlled substance analog of methamphetamine in violation of this chapter. ~~Any~~

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

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

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

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\* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].