



## 2007 ASSEMBLY BILL 477

August 7, 2007 - Introduced by Representatives WASSERMAN, CULLEN, TOWNSEND, SHERIDAN, A. OTT, HINES and BERCEAU, cosponsored by Senators LASSA, LEIBHAM and ROESSLER. Referred to Committee on Criminal Justice.

1     **AN ACT to create** 941.318 of the statutes; **relating to:** *Salvia divinorum* and  
2     providing a penalty.

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***Analysis by the Legislative Reference Bureau***

This bill prohibits manufacturing, distributing, or delivering the active chemical ingredient in the plant *Salvia divinorum* (salvinorin A) with the intent that it be consumed by a person. The bill makes an exception to this prohibition for salvinorin A that is recognized by the U.S. Food and Drug Administration as a homeopathic drug and that may be obtained from a retail store without a prescription. The penalty for violating the prohibition is a fine not to exceed \$10,000.

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

3     **SECTION 1.** 941.318 of the statutes is created to read:

4     **941.318 *Salvia divinorum*.** (1) In this section:

5         (a) "Deliver," with respect to a plant ingredient, has the same meaning given  
6     in s. 961.01 (6) with respect to a controlled substance or controlled substance analog.

7         (b) "Distribute," with respect to a plant ingredient, has the same meaning given  
8     in s. 961.01 (9) with respect to a controlled substance or controlled substance analog.

