

2013 DRAFTING REQUEST

Bill

Received: 2/20/2013 Received By: phurley
Wanted: As time permits Same as LRB:
For: Thomas Tiffany (608) 266-2509 By/Representing:
May Contact: Drafter: phurley
Subject: Criminal Law - drugs Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Tiffany@legis.wi.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Intoxication by an inhalant

Instructions:

companion to 13-0076

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>
/?	phurley 2/20/2013	csicilia 2/25/2013	rschluet 2/25/2013	_____			
/1				_____	srose 2/25/2013	srose 2/25/2013	

FE Sent For:

<END>

*Not
Needed*

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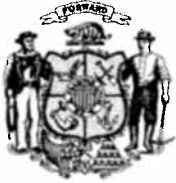
<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-00671

PJH:cjs:rs

stays

1692/11

mnr

2013 BILL

2-20-13

SA ✓

Low Cost

1 AN ACT to amend 23.33 (1) (i), 30.50 (4e), 85.53 (1) (c), 350.01 (9), 939.22 (42) and
2 940.225 (5) (ai); and to create 23.33 (1) (gb), 30.50 (4c), 85.53 (1) (bg), 340.01
3 (20r), 340.01 (25d), 350.01 (4) and 939.22 (15) of the statutes; relating to: the
4 definition of intoxicant.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from operating, or causing injury or death to a person by operating, a vehicle, including an all-terrain vehicle, snowmobile, or boat, while under the influence of an intoxicant. Current law also prohibits a person from causing injury or death to a person by operating a firearm or airgun while under the influence of an intoxicant. Current law defines an "intoxicant" as any alcohol beverage, controlled substance, controlled substance analog or other drug, or any combination thereof.

This bill broadens the definition of "intoxicant" to include a substance that is inhaled, ingested, or otherwise consumed in a manner that is contrary to its intended use or labelling, and that is inhaled, ingested, or otherwise consumed to induce intoxication or elation, to stupefy the central nervous system, or to change the human audio, visual, or mental processes.

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

BILL**SECTION 1**

1 **SECTION 1.** 23.33 (1) (gb) of the statutes is created to read:

2 23.33 (1) (gb) "Hazardous inhalant" means a substance that is ingested,
3 inhaled, or otherwise introduced into the human body in a manner that does not
4 comply with any cautionary labeling that is required for the substance under s.
5 100.37 or under federal law, or in a manner that is not intended by the manufacturer
6 of the substance, and that is intended to induce intoxication or elation, to stupefy the
7 central nervous system, or to change the human audio, visual, or mental processes.

8 **SECTION 2.** 23.33 (1) (i) of the statutes is amended to read:

9 23.33 (1) (i) "Intoxicant" means any alcohol beverage, hazardous inhalant,
10 controlled substance, controlled substance analog or other drug, or any combination
11 thereof.

12 **SECTION 3.** 30.50 (4c) of the statutes is created to read:

13 30.50 (4c) "Hazardous inhalant" means a substance that is ingested, inhaled,
14 or otherwise introduced into the human body in a manner that does not comply with
15 any cautionary labeling that is required for the substance under s. 100.37 or under
16 federal law, or in a manner that is not intended by the manufacturer of the substance,
17 and that is intended to induce intoxication or elation, to stupefy the central nervous
18 system, or to change the human audio, visual, or mental processes.

19 **SECTION 4.** 30.50 (4e) of the statutes is amended to read:

20 30.50 (4e) "Intoxicant" means any alcohol beverage, hazardous inhalant,
21 controlled substance, controlled substance analog or other drug, or any combination
22 thereof.

23 **SECTION 5.** 85.53 (1) (bg) of the statutes is created to read:

24 85.53 (1) (bg) "Hazardous inhalant" means a substance that is ingested,
25 inhaled, or otherwise introduced into the human body in a manner that does not

BILL

1 comply with any cautionary labeling that is required for the substance under s.
2 100.37 or under federal law, or in a manner that is not intended by the manufacturer
3 of the substance, and that is intended to induce intoxication or elation, to stupefy the
4 central nervous system, or to change the human audio, visual, or mental processes.

5 **SECTION 6.** 85.53 (1) (c) of the statutes is amended to read:

6 85.53 (1) (c) "Intoxicant" means any alcohol beverage, hazardous inhalant,
7 controlled substance, controlled substance analog or other drug, or any combination
8 thereof.

9 **SECTION 7.** 340.01 (20r) of the statutes is created to read:

10 340.01 (20r) "Hazardous inhalant" means a substance that is ingested,
11 inhaled, or otherwise introduced into the human body in a manner that does not
12 comply with any cautionary labeling that is required for the substance under s.
13 100.37 or under federal law, or in a manner that is not intended by the manufacturer
14 of the substance, and that is intended to induce intoxication or elation, to stupefy the
15 central nervous system, or to change the human audio, visual, or mental processes.

16 **SECTION 8.** 340.01 (25d) of the statutes is created to read:

17 340.01 (25d) "Intoxicant" includes a hazardous inhalant.

18 **SECTION 9.** 350.01 (4) of the statutes is created to read:

19 350.01 (4) "Hazardous inhalant" means a substance that is ingested, inhaled,
20 or otherwise introduced into the human body in a manner that does not comply with
21 any cautionary labeling that is required for the substance under s. 100.37 or under
22 federal law, or in a manner that is not intended by the manufacturer of the substance,
23 and that is intended to induce intoxication or elation, to stupefy the central nervous
24 system, or to change the human audio, visual, or mental processes.

25 **SECTION 10.** 350.01 (9) of the statutes is amended to read:

Rose, Stefanie

From: Wenzlaff, Tyler
Sent: Monday, February 25, 2013 9:58 AM
To: LRB.Legal
Subject: Draft Review: LRB -1692/1 Topic: Intoxication by an inhalant

Please Jacket LRB -1692/1 for the SENATE.