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For:	Kath	Kathleen Vinehout (608) 266-8546			By/Representing:				
May C	ontact:]	Orafter:	phurley			
Subject: Criminal Law - drugs				Addl. Drafters:					
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/P1	phurley 1/27/2014	evinz 12/5/2012	rschluet 12/5/2012		sbasford 12/5/2012		Crime		
/1		evinz 1/27/2014	jmurphy 1/27/2014		srose 1/27/2014	srose 1/27/2014	Crime		
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/P1	phurley 1/27/2014	evinz 12/5/2012	rschluet 12/5/2012		sbasford 12/5/2012		Crime		
/1		evinz 1/27/2014	jmurphy 1/27/2014		srose 1/27/2014		Crime		
FE Ser	nt For:								

Bill									
Receiv	red: 12	/3/2012		Re	ceived By:	phurley			
Wante	d: As	time permits		Sa	ne as LRB:				
For:	Kathleen Vinehout (608) 266-8546			6 By	By/Representing:				
May Contact:				Dr	after:	phurley			
Subject: Criminal Law - drugs			Ad	ldl. Drafters:					
				Ex	tra Copies:				
Reque	t via email: ster's email n copy (CC opic:	: Sen.V	inehout@legi 	is.wisconsin.g	ov				
No spe	ecific pre to	pic given							
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using	your own s	chedule II prescrip	otion in a way	not prescribed	l maybe a class	I felony?			
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Bill

Received:

12/3/2012

Received By:

phurley

Wanted:

As time permits

Same as LRB:

For:

Kathleen Vinehout (608) 266-8546

By/Representing:

May Contact:

Drafter:

phurley

Subject:

Criminal Law - drugs

Addl. Drafters:

Extra Copies:

Submit via email:

YES

Requester's email:

Sen.Vinehout@legis.wisconsin.gov

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Misuse of prescription

Instructions:

using your own schedule II prescription in a way not prescribed maybe a class I felony?

96/4/

Drafting History:

Vers. Drafted

Reviewed /place 12/4/12

<u>Typed</u>

Submitted

Jacketed

Required

/P1

phurley

FE Sent For:

Hurley, Peggy

From:

Sappenfield, Anne

Sent:

Monday, December 03, 2012 9:10 AM Hurley, Peggy

To: Subject:

draft language

Hi Peggy,

Florida House Bill 1081 (which died in committee) had the following offense: "Knowingly use in another manner a Schedule II controlled substance intended by the prescriber to be administered orally."

Thanks! Anne

Anne Sappenfield Senior Staff Attorney WI Legislative Council (608) 267-9485



State of Misconsin 2013 - 2014 LEGISLATURE



Cprovidina

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

13.11.12

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AN ACT ...; relating to: misuse of a prescribed controlled substance, and ereating

a penalty.

(agn cat

Analysis by the Legislative Reference Bureau

Under current law, a drug, or controlled substance, is classified into one of five separate schedules. The classification is based on: 1) whether there is a currently accepted medical use for the drug; 2) the drug's potential for being abused; and 3) the nature of the psychological or physical dependence that use of the drug may produce. Controlled substances that have a high potential for abuse and no currently accepted medical use are included in schedule I. Controlled substances that have an accepted medical use and that have the lowest potential for abuse and produce the least dependence when compared with other controlled substances are included in schedule V. Under current law, a schedule II, III, or IV controlled substance may be dispensed, but only with a prescription.

This bill prohibits a person from intentionally using a schedule II controlled substance that is prescribed to him or her for oral ingestion in a manner that is inconsistent with the prescribed usage. Under the bill, a person who does so is guilty of a class I felony and subject to a fine not to exceed \$10,000, imprisonment not to exceed 3 years and 6 months, or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

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report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

SECTION 1. 961.41 (3h) of the statutes is created to read:

961.41 (3h) MISUSE OF PRESCRIBED SCHEDULE II NARCOTIC DRUG. A person who obtains, pursuant to a valid prescription or order, a centrolled substance included in schedule II which is a narcotic drug and which is prescribed to be ingested orally may not intentionally ingest or consume the substance in another manner. A person who violates this subsection is guilty of a class I felony.

(END)



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State of Misconsin 2013 - 2014 LEGISLATURE



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

JAM JAM

AN ACT/to create 961.41 (3h) of the statutes; relating to: misuse of a prescribed

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Analysis by the Legislative Reference Bureau

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(END)

Rose, Stefanie

From:

Nilsestuen, Joel

Sent:

Monday, January 27, 2014 4:09 PM

To:

LRB.Legal

Subject:

Draft Review: LRB -0673/1 Topic: Misuse of prescription

Please Jacket LRB -0673/1 for the SENATE.