

State of Wisconsin



2013 Assembly Bill 62

Date of enactment: **December 12, 2013**
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2013 WISCONSIN ACT 83

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

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

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

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

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

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

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

30.50 (4c) "Hazardous inhalant" means a substance that is ingested, inhaled, or otherwise introduced into the human body in a manner that does not comply with any cautionary labeling that is required for the substance under s. 100.37 or under federal law, or in a manner that

is not intended by the manufacturer of the substance, and that is intended to induce intoxication or elation, to stupefy the central nervous system, or to change the human audio, visual, or mental processes.

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

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

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

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

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

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

* Section 991.11, WISCONSIN STATUTES: 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."

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

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

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

340.01 (25d) “Intoxicant” includes a hazardous inhalant.

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

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

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

350.01 (9) “Intoxicant” means any alcohol beverage,

hazardous inhalant, controlled substance, controlled substance analog or other drug, or any combination thereof.

SECTION 11. 939.22 (15) of the statutes is created to read:

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

SECTION 12. 939.22 (42) of the statutes is amended to read:

939.22 (42) “Under the influence of an intoxicant” means that the actor’s ability to operate a vehicle or handle a firearm or airgun is materially impaired because of his or her consumption of an alcohol beverage, hazardous inhalant, of a controlled substance or controlled substance analog under ch. 961, of any combination of an alcohol beverage, hazardous inhalant, controlled substance and controlled substance analog, or of any other drug, or of an alcohol beverage and any other drug.

SECTION 13. 940.225 (5) (ai) of the statutes is amended to read:

940.225 (5) (ai) “Intoxicant” means any alcohol beverage, hazardous inhalant, controlled substance, controlled substance analog, or other drug, or any combination thereof.
