2013 SENATE BILL 685


AN ACT to amend 961.14 (4) (t); and to create 961.38 (1n) of the statutes; relating to: providing that cannabidiol is not a tetrahydrocannabinol and dispensing cannabidiol as a treatment for a seizure disorder.

Analysis by the Legislative Reference Bureau

Under current law, a controlled substance is classified in 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 dependence that use of the drug may produce. A Schedule I controlled substance, such as a tetrahydrocannabinol (THC), may not be dispensed, even with a prescription. This bill specifically provides that THC does not include cannabidiol (commonly known as CBD oil extract) in a form without a psychoactive effect if dispensed or documented by a practitioner. This bill also specifically allows CBD oil extract to be dispensed by a practitioner for the treatment of a seizure disorder and allows a practitioner to provide an individual with a letter or other documentation stating that the individual possesses CBD oil extract to treat a seizure disorder.

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

SECTION 1. 961.14 (4) (t) of the statutes is amended to read:
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961.14 (4) (t) Tetrahydrocannabinols, commonly known as “THC”, in any form including tetrahydrocannabinols contained in marijuana, obtained from marijuana, or chemically synthesized, except that tetrahydrocannabinols do not include cannabidiol in a form without a psychoactive effect that is dispensed or documented as provided in s. 961.38 (1n):

SECTION 2. 961.38 (1n) of the statutes is created to read:

961.38 (1n) A practitioner may dispense cannabidiol in a form without a psychoactive effect as a treatment for a seizure disorder or may provide an individual with a hard copy of a letter or other official documentation stating that the individual possesses cannabidiol to treat a seizure disorder if the cannabidiol is in a form without a psychoactive effect.