STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R09/2016)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
101 EAST WILSON STREET, 10TH FLOOR
P.O. BOX 7864
MADISON, WI 53707-7864
FAX: (608) 267-0372

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis ☒ Original ☐ Updated ☐ Corrected	2. Date February 13, 2019

3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)
CSB 2.64

4. Subject
Scheduling N-Ethylpentylone

5. Fund Sources Affected ☐ GPR ☐ FED ☐ PRO ☐ PRS ☐ SEG ☐ SEG-S	6. Chapter 20, Stats. Appropriations Affected

7. Fiscal Effect of Implementing the Rule
☐ No Fiscal Effect   ☐ Increase Existing Revenues   ☐ Increase Costs   ☐ Decrease Costs
☐ Indeterminate   ☐ Decrease Existing Revenues   ☐ Could Absorb Within Agency's Budget

8. The Rule Will Impact the Following (Check All That Apply)
☐ State's Economy   ☐ Specific Businesses/Sectors
☐ Local Government Units   ☐ Public Utility Rate Payers
                                               ☐ Small Businesses **(if checked, complete Attachment A)**

9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).
$0.00

10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be $10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?
☐ Yes   ☒ No

11. Policy Problem Addressed by the Rule
The United States Department of Justice, Drug Enforcement Administration scheduled N-Ethylpentylone as a schedule I controlled substance effective August 31, 2018. The Wisconsin Controlled Substances Board took affirmative action on October 3, 2018 to similarly treat N-Ethylpentylone as a schedule I controlled substance effective October 8, 2018. The Board is currently promulgating a final rule.

12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.

13. Identify the Local Governmental Units that Participated in the Development of this EIA.

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule
The benefit is for the federal and state controlled substances acts to be in conformity and alleviate confusion. In addition, it is in the best interest of Wisconsin citizens to schedule the substituted cathinone drug as a controlled substance.

16. Long Range Implications of Implementing the Rule
N-Ethylpentylone will be treated as a schedule I controlled substance.

17. Compare With Approaches Being Used by Federal Government
The federal government has scheduled N-Ethylpentylone as a schedule I controlled substance.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

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Our surrounding states have yet to schedule N-Ethylpentylone.

19. Contact Name	20. Contact Phone Number
Sharon Henes	(608) 261-2377

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ATTACHMENT A

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)
☐ Yes   ☐ No