

**Report From Agency**

**STATE OF WISCONSIN  
CONTROLLED SUBSTANCES BOARD**

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**IN THE MATTER OF RULEMAKING :  
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE  
CONTROLLED SUBSTANCES BOARD : CR 22-011  
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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS: N/A**

**III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and EIA is attached.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

This rule schedules Crotonyl Fentanyl as a Schedule I controlled substance.

The Controlled Substances Board did not receive an objection to similarly treat Crotonyl Fentanyl as a Schedule I controlled substance under ch. 961, Stats. within 30 days of the date of publication in the Federal Register of the final order designating Crotonyl Fentanyl as a controlled substance.

Pursuant to s. 961.11 (4), Stats., the Controlled Substances Board took affirmative action to similarly treat Crotonyl Fentanyl under ch. 961, Stats. by creating the following:

961.14 (2) (nd) 9m. Crotonyl Fentanyl ((E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide).

The Affirmative Action order, dated November 13, 2020, took effect on November 23, 2020 to allow for publication in the Administrative Register and expires upon promulgation of a final rule.

**V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:**

Per s. 961.11(4), Stats., if no objection is made, the board shall promulgate a final rule for which notice of proposed rulemaking is omitted. Therefore, the Board did not hold a public hearing.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

Legislative Council staff did not make any recommendations.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A**