



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 351
[2013 Senate Bill 325]

Controlled Substances

2013 Wisconsin Act 351 relates to controlled substances.

Background

Under current law, controlled substances are classified as a Schedule I, II, III, IV, or V controlled substances. The classification is based upon whether there is a currently accepted medical use for the controlled substance, the potential for abuse, and the nature of the dependence that the controlled substance might produce. Schedule I controlled substances have the highest potential for abuse and dependency and the least medically accepted uses.

Under current law, eight synthetic cannabinoids and two stimulant substances commonly known as “bath salts” are classified as Schedule I controlled substances. Under prior law, analogs to these controlled substances were also treated as controlled substances.

Prior law also penalized the manufacture, distribution, or delivery of Salvinorin A, a psychotic ingredient in the plant *Salvia divinorum*, but the substance was not a classified controlled substance.

Act 351

Under Act 351, instead of referring to analogs of synthetic cannabinoids and “bath salts,” the Act contains a description of the chemical structure of the prohibited or restricted substance. Therefore, any substance that is not specifically listed but that has the chemical structure described in the Act is prohibited or restricted. The Act also adds several new hallucinogenic and stimulant substances to Schedule I and classifies Salvinorin A as a Schedule I controlled substance.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

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Finally, the Act adds several new Schedule II, III, IV, and V controlled substances by including a description of the chemical structure of those substances in those schedules.

Effective date: Act 351 takes effect on April 25, 2014.

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