
Wisconsin Legislative Council

AMENDMENT MEMO



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2021 Assembly Bill 225

**Assembly
Amendments 1 and 2**

2021 ASSEMBLY BILL 225

Assembly Bill 225 creates a new crime related to recklessly¹ handling vaccines or other similar products.

Specifically, under the bill, it is a Class I felony to recklessly handle, store, or treat a vaccine, drug, or any other biologic product used as a therapeutic treatment in a manner that may render the vaccine, drug, or product unsafe, tainted, spoiled, ineffective, or otherwise unusable.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 modifies the elements of the crime and specifies circumstances in which the crime does not apply.

First, the amendment changes the crime's required mental state from "reckless" to "intentional" and adds "destroys" to the list of prohibited acts. Thus, under the amendment, it is a Class I felony to destroy, handle, store, or treat a vaccine, drug, or any other biologic product used as a therapeutic treatment with intent to render the vaccine, drug, or product unsafe, tainted, spoiled, ineffective, or otherwise unusable.

Second, the amendment specifies that this crime does not apply to the disposal of expired or recalled vaccines, drugs, or other products.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 further specifies that this crime does not apply to a vaccine, drug, or other product at an authorized drug disposal program or after the ordered course of treatment for the vaccine, drug, or other product is finished.

BILL HISTORY

Representative Knodl introduced Assembly Amendment 1 on June 22, 2021, and Assembly Amendment 2 on October 1, 2021. On October 5, 2021, the Assembly Committee on Criminal Justice and Public Safety recommended adoption of both amendments and passage of the bill, as amended by Assembly Amendments 1 and 2, on votes of Ayes, 11; Noes, 0.

TK:jal

¹ Under Wisconsin criminal law, a person acts "recklessly" when he or she creates an unreasonable and substantial risk of death or great bodily harm to another human being and is aware of that risk. [s. 939.24, Stats.]