



## 2015 ASSEMBLY BILL 945

February 23, 2016 – Introduced by Representatives SARGENT, OHNSTAD, JOHNSON, ZEPNICK, C. TAYLOR, KAHL, CONSIDINE, SPREITZER, BERCEAU, POPE, BROSTOFF and KESSLER, cosponsored by Senators MILLER, RISSER and C. LARSON. Referred to Committee on Criminal Justice and Public Safety.

1     **AN ACT** *to renumber and amend* 961.41 (3g) (e); and *to create* 961.41 (3g) (e)  
2             1. a. and b. of the statutes; **relating to:** repeat offenses of possession of  
3             marijuana.

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***Analysis by the Legislative Reference Bureau***

Under this bill, the penalty for the possession of marijuana following a conviction for a violation of the Uniform Controlled Substances Act is reduced from a Class I felony to a fine of no more than \$1,000 or imprisonment for not more than six months, or both, which is the same penalty as for the first offense of possession of marijuana. The penalty, however, remains a Class I felony if the repeat offense occurred on the grounds of a school or if, during the course of the repeat offense, the person carried a dangerous weapon, the person used force against another person, or a person died or suffered great bodily harm.

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

4             **SECTION 1.** 961.41 (3g) (e) of the statutes is renumbered 961.41 (3g) (e) 1.  
5             (intro.) and amended to read:  
6             961.41 (**3g**) (e) 1. (intro.) If a person possesses or attempts to possess  
7             tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled substance

