

State of Wisconsin



2023 Senate Bill 875

Date of enactment: **March 26, 2024**

Date of publication*: **March 27, 2024**

2023 WISCONSIN ACT 217

AN ACT *to create* 895.532 and 961.571 (1) (b) 4. of the statutes; **relating to:** excepting xylazine testing materials from the definition of drug paraphernalia and civil and criminal liability exemptions for distributing and administering xylazine testing products.

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

SECTION 1. 895.532 of the statutes is created to read:

895.532 Civil and criminal liability exemption; xylazine testing products. (1) In this section, "xylazine testing product" means any materials used or intended for use in testing for the presence of xylazine or a xylazine analog in a substance.

(2) Any person who distributes a xylazine testing product is immune from civil or criminal liability for the death of or injury to an individual caused by the administration of the xylazine testing product.

(3) Any person who administers a xylazine testing product according to manufacturer instructions provided with the xylazine testing product is immune from civil or criminal liability for the act, except for civil liability for negligence in the performance of the act.

SECTION 2. 961.571 (1) (b) 4. of the statutes is created to read:

961.571 (1) (b) 4. Any materials used or intended for use in testing for the presence of xylazine or a xylazine analog in a substance.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."