

1991 Assembly Bill 770

Date of enactment: **April 20, 1992**

Date of publication*: **May 4, 1992**

1991 WISCONSIN ACT 208

AN ACT *to amend* 139.87 (2); and *to create* 139.88 (1d) of the statutes, **relating to:** imposing the controlled substances tax on marijuana plants.

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

SECTION 1. 139.87 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

139.87 (2) "Dealer" means a person who in violation of ch. 161 possesses, manufactures, produces, ships, transports, delivers, imports, sells or transfers to another person more than 42.5 grams of marijuana, more than 5 marijuana plants, more than 14 grams of mushrooms containing psilocin or psilocybin, more than 100 milli-

grams of any material containing lysergic acid diethylamide or more than 7 grams of any other schedule I controlled substance or schedule II controlled substance. "Dealer" does not include a person who lawfully possesses marijuana or another controlled substance.

SECTION 2. 139.88 (1d) of the statutes is created to read:

139.88 (1d) Per marijuana plant, regardless of weight, counted when in the dealer's possession, \$1,000.

SECTION 3. Effective date. This act takes effect on the first day of the 2nd month beginning after publication.