

State of Wisconsin



2013 Assembly Bill 726

Date of enactment:
Date of publication*:

2013 WISCONSIN ACT

AN ACT to renumber 961.34; to amend 961.14 (4) (t); and to create 961.34 (2) and 961.38 (1n) of the statutes; relating to: providing that cannabidiol is not a tetrahydrocannabinol and dispensing cannabidiol as a treatment for a seizure disorder.

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

SECTION 1. 961.14 (4) (t) of the statutes is amended to read:

961.14 (4) (t) Tetrahydrocannabinols, commonly known as "THC", in any form including tetrahydrocannabinols contained in marijuana, obtained from marijuana, or chemically synthesized, except that tetrahydrocannabinols do not include cannabidiol in a form without a psychoactive effect that is dispensed or documented as provided in s. 961.38 (1n);

SECTION 1h. 961.34 of the statutes is renumbered 961.34 (1).

SECTION 1j. 961.34 (2) of the statutes is created to read:

961.34 (2) (a) Upon the request of any physician, the controlled substances board shall aid the physician in applying for and processing an investigational drug permit under [21 USC 355](#) (i) for cannabidiol as treatment for

a seizure disorder. If the federal food and drug administration issues an investigational drug permit, the controlled substances board shall approve which pharmacies and physicians may dispense cannabidiol to patients.

(b) If cannabidiol is removed from the list of controlled substances, or if cannabidiol is determined not to be a controlled substance, under schedule I of [21 USC 812](#) (c), the controlled substances board shall approve which pharmacies and physicians may dispense cannabidiol to patients as treatment for a seizure disorder.

SECTION 2. 961.38 (1n) of the statutes is created to read:

961.38 (1n) A pharmacy or physician approved under s. 961.34 (2) (a) or (b) may dispense cannabidiol in a form without a psychoactive effect as a treatment for a seizure disorder or any physician may provide an individual with a hard copy of a letter or other official documentation stating that the individual possesses cannabidiol to treat a seizure disorder if the cannabidiol is in a form without a psychoactive effect.

* 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."