



State of Wisconsin
2017 - 2018 LEGISLATURE

January 2017 Special Session

LRB-1323/1
CMH&MLJ:klm

BILL

1 **AN ACT** *to amend* 961.443 (2) of the statutes; **relating to:** immunity from
2 revocation of probation, parole, or extended supervision for certain controlled
3 substance offenses.

Analysis by the Legislative Reference Bureau

This bill grants immunity from having probation, parole, or extended supervision revoked for possessing a controlled substance or controlled substance analog to a person, called an aider, who summons or provides emergency medical assistance to another person because the aider believes the other person is suffering from an overdose or other adverse reaction to a controlled substance or controlled substance analog. This bill also grants immunity from prosecution or from having probation, parole, or extended supervision revoked for possessing a controlled substance or controlled substance analog to the aided person in this circumstance.

This is an extension of current law, which grants immunity from prosecution for possessing a controlled substance or controlled substance analog to an aider who summons or provides emergency medical assistance to another person because the aider believes the other person is suffering from an overdose or other adverse reaction to a controlled substance or controlled substance analog.

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

1 **SECTION 1.** 961.443 (2) of the statutes is amended to read:

2 961.443 **(2)** IMMUNITY FROM CRIMINAL PROSECUTION AND REVOCATION OF PAROLE,
3 PROBATION, OR EXTENDED SUPERVISION. ~~An~~ No aider or aided person may have his or
4 her parole, probation, or extended supervision revoked, and an aider or aided person
5 is immune from prosecution under s. 961.573 for the possession of drug
6 paraphernalia, under s. 961.41 (3g) for the possession of a controlled substance or a
7 controlled substance analog, and under s. 961.69 (2) for possession of a masking
8 agent, under the circumstances surrounding or leading to ~~his or her~~ the aider's
9 commission of an act described in sub. (1).

10 **(END)**