

## CO-SPONSORSHIP MEMORANDUM

**TO:** All Legislators  
**FROM:** Senator Agard, Senator Johnson, Senator Taylor, Senator Roys, Senator Larson, Senator Smith, Senator Erpenbach  
Representative Bowen, Representative Ohnstad, Representative Spreitzer, Representative Hong, Representative Stubbs, Representative Hebl, Representative Emerson, Representative Sara Rodriguez, Representative Neubauer, Representative Hesselbein, Representative Baldeh, Representative Brostoff, Representative Snodgrass, Representative Goyke, Representative Pope, Representative Shankland, Representative Shelton  
**DATE:** Tuesday, August 10<sup>th</sup>, 2021  
**RE:** Co-Sponsorship of LRB-4361/1 relating to: legalization of marijuana  
**DEADLINE:** Tuesday, August 24, 2021 by 5:00 p.m.



Marijuana is being legalized for medicinal and recreational purposes across the country. Thirty-five states and the District of Columbia have passed laws broadly legalizing marijuana in some form. Here in the Midwest, Michigan and Illinois have fully legalized marijuana and Minnesota has legalized medicinal use. This is a positive trend for the country, but Wisconsin is in danger of being left behind as an island of prohibition.

In light of this, today we are introducing a bill to fully legalize marijuana for adult, responsible use in Wisconsin.

Under the bill, marijuana would be taxed and regulated much like alcohol, and would be regulated by both the Department of Revenue (DOR) and the Department of Agriculture, Trade, and Consumer Protection (DATCP). The proposal would require the sale of marijuana for recreational use to be sold by a marijuana retailer holding a permit issued by the DOR. Individuals would need to be 21 years of age to purchase marijuana for recreational use. All sales of recreational marijuana to minors would be prohibited. The plan also provides a path for medical marijuana users to access the product without paying retail taxes.

Under the bill, Wisconsin residents can possess no more than two ounces of marijuana and six plants for personal use. Nonresidents can possess no more than 0.25 ounces of marijuana. No marijuana processor or microbusiness that operates as a marijuana processor may make usable marijuana using marijuana grown outside of Wisconsin.

Here are just a few of the reasons we must legalize cannabis in Wisconsin:

- **Economic Benefits:** The math is clear— legalizing marijuana for recreational and medical use would provide extensive economic benefits to our state. Wisconsin has the opportunity to take in over \$165 million per year in additional state revenue. Under the bill, over half of these dollars would be reinvested in across the state toward underserved communities, equity grants, and sparsity aid. In addition to state revenue, legalization would bring an already thriving industry out of the shadows and provide economic stimulus for our state. Under the current system, we are seeing our hard earned money go across the border to Illinois and Michigan.

Finally, the legalization of marijuana would save the state money by reducing the amount of money spent on drug enforcement. According to an estimate by the [ACLU](#), Wisconsin stands to save \$44.3 million a year of taxpayer money through the legalization of marijuana.

- **Criminal Justice Reform and Addressing Racial Disparities:** [Over half of all drug arrests](#) are for marijuana, but these arrests are not evenly distributed. Although African-Americans use marijuana at the same rates as white individuals, they're almost four times more likely to be arrested for marijuana possession nationally, and are [almost six times more likely to be arrested in Wisconsin](#). Too many lives and communities have been damaged by out of date and backwards cannabis policies. We can take important steps to right these historical wrongs by passing this bill.
- **Supporting Agriculture and Rural Communities:** Our farmers have been hit hard by the pandemic. Marijuana legalization would help create a 21<sup>st</sup> century agricultural economy that would support one of Wisconsin's most important industry. LRB 4361 also provides more than \$34 million to support sparsity aid, which would go toward small, rural school districts.
- **Healthy and Safe Communities:** Legal access to marijuana has led to a [23% decrease in opioid dependence](#) and a 25% lower overdose death rate in states that have already legalized, in addition to its ability to aid a variety of debilitating medical conditions and chronic pain management.

In addition, legalizing cannabis has been shown to make our communities safer by allowing law enforcement to focus on serious and violent crimes. From a public health standpoint, legalization also make us safer by allowing for testing and regulating of the product. Studies have also shown that there has been no increase in crime, or violent crime, in states that have legalized.

Wisconsin is ready. This is what the people of our state want. In 2019, a [Marquette University Law Poll](#) found that nearly 60 percent of Wisconsinites support the legalization of marijuana and 83 percent of Wisconsinites support the legalization of medical marijuana. Less than 10% of Americans believe that marijuana should be illegal.

Please consider signing on to this important legislation today.

**Analysis by the Legislative Reference Bureau**  
*(See attached Bill for full analysis)*

***Legalizing recreational marijuana***

Current law prohibits a person from manufacturing, distributing, or delivering marijuana; possessing marijuana with the intent to manufacture, distribute, or deliver it; possessing or attempting to possess marijuana; using drug paraphernalia; or possessing drug paraphernalia with the intent to produce, distribute, or use a controlled substance. The bill changes state law so that it allows recreational use of marijuana. The bill does not affect federal law, which generally prohibits persons from manufacturing, delivering, or possessing marijuana and applies to both intrastate and interstate violations.

The bill changes state law to allow a Wisconsin resident who is at least 21 years old, or a qualifying patient, to possess no more than two ounces of marijuana and to allow a nonresident of Wisconsin who is at least 21 years old to possess no more than one-quarter ounce of marijuana. Under the bill, generally, a qualifying patient is an individual who has been diagnosed by a physician as having or undergoing a debilitating medical condition or treatment and who is at least 18 years old.