



Legislation Details (With Text)

File #: 62420 **Version:** 1 **Name:** Create exception for cannabis
Type: Ordinance **Status:** Passed
File created: 9/30/2020 **In control:** Attorney's Office
On agenda: 11/17/2020 **Final action:** 11/17/2020
Enactment date: 12/4/2020 **Enactment #:** ORD-20-00110

Title: Amending Section 23.201(1) of the Madison General Ordinances to create an exception for possession of drug paraphernalia for cannabis and cannabis derivatives use.

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Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/17/2020	1	COMMON COUNCIL	Adopt	Pass
10/14/2020	1	PUBLIC SAFETY REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
10/6/2020	1	COMMON COUNCIL	Refer	Pass
9/30/2020	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No fiscal impact.

Title

Amending Section 23.201(1) of the Madison General Ordinances to create an exception for possession of drug paraphernalia for cannabis and cannabis derivatives use.

Body

DRAFTER'S ANALYSIS: This ordinance creates an exception for possession of drug paraphernalia if possession is permitted for use of cannabis or cannabis derivatives under MGO Sec. 23.20. MGO Sec. 23.20 permits a person who is eighteen (18) years of age or older to possess cannabis or cannabis derivatives in an amount not to exceed twenty-eight (28) grams on public property with the permission of the property owner, landlord or tenant or on private property.

The Common Council of the City of Madison do hereby ordain as follows:

Subsection (1) of Section 23.201 entitled "Possession of Drug Paraphernalia" of the Madison General Ordinances is amended to read as follows:

"23.201 POSSESSION OF DRUG PARAPHERNALIA.

- (1) No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process,

prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of Chapter 961, Wis. Stats. Any person who violates this section is subject to a forfeiture of not more than \$500. This section does not apply to individuals possessing drug paraphernalia or other items covered in this section if said possession is for the use of cannabis or cannabis derivatives as authorized under Madison General Ordinance Sec. 23.20.