



Wisconsin Laws & Penalties

- [Conditional Release](#)
- [Drugged Driving](#)
- [Medical CBD](#)

Offense	Penalty	Incarceration	Max. Fine
Possession			
Any amount (first offense)	Misdemeanor	6 months	\$ 1,000
Any amount (subsequent offense)	Felony	3.5 years	\$ 10,000
Sale or Delivery			
200 g or less	Felony	3.5 years	\$ 10,000
200 - 1000 g	Felony	6 years	\$ 10,000
1000 - 2500 g	Felony	10 years	\$ 25,000
2500 - 10,000 g	Felony	12.5 years	\$ 25,000
More than 10,000 g	Felony	15 years	\$ 50,000
Includes possession with intent to distribute			
Subsequent offense is subject to additional penalties			

Cultivation

4 plants or fewer	Felony	3.5 years	\$ 10,000
4 - 20 plants	Felony	6 years	\$ 10,000
20 - 50 plants	Felony	10 years	\$ 25,000
50 - 200 plants	Felony	12.5 years	\$ 25,000
More than 200 plants	Felony	15 years	\$ 50,000

Subsequent offense is subject to additional penalties

Hash & Concentrates

Penalties for hashish and marijuana are generally treated equally under the law. Please see details below.

Paraphernalia

Use or possession with intent to use paraphernalia	Misdemeanor	30 days	\$ 500
Sale or distribution of paraphernalia	Misdemeanor	90 days	\$ 1,000
Selling to a minor	Misdemeanor	9 months	\$ 10,000

Civil Asset Forfeiture

All controlled substances and items used to distribute, including vehicles, are subject to forfeiture.

Miscellaneous

Driving privileges may be suspended for 6 months - 5 years.

Penalty Details

Marijuana is a Schedule I hallucinogenic substance under the Wisconsin Uniform Controlled Substances Act.

See

- Wis. Stat. § 961.14 (2014) [Web Search](#)

Possession

A first offense for possession of marijuana is a misdemeanor punishable by a fine of up to \$1,000 and/or imprisonment of up to 6 months. A second offense is a Class I felony and is punishable by a fine of up to \$10,000 and/or imprisonment for up to 3.5 years.

See

- Wis. Stat. §§ 961.41(3g)& 961.495 [Web Search](#)

The penalty for marijuana possession will vary according to number of convictions, with 100 hours of community service, in addition to the standard penalty for possession within 1,000 ft. of a school, youth center, public park, pool, housing project, jail or drug treatment facility.

See

- Wis. Stat. §§ 961.41(3g)& 961.495 [Web Search](#)

Sale or Cultivation

The sale or cultivation of 200 grams or less (4 plants or fewer) is a Class I felony, punishable by up to \$10,000 in fines and/or imprisonment for up to 3.5 years.

The sale or cultivation of between 200 and 1,000 grams (5-12 plants) is a felony, punishable by up to \$10,000 fine and/ or 6 years in prison.

The sale or cultivation of between 1,000 and 2,500 grams (21-50 plants) is punishable by up to \$25,000 fines and/ or a maximum 10 years imprisonment.

The sale or cultivation of between 2,500 and 10,000 grams (51-200 plants) is punishable by up to \$25,000 fine and/or 12 years and 6 months imprisonment.

The sale or cultivation of over 10,000 grams (more than 200 plants) is punishable with a maximum of 15 years imprisonment and/or a \$25,000 fine.

See

- Wis. Stat. § 961.41(1) [Web Search](#)

Hash & Concentrates

Any compound containing THC is a Schedule I drug. While the definition of marijuana does not include hashish or concentrates, the penalties and offenses associated with marijuana are the same for hashish or concentrates. Please see the marijuana penalties section for further details.

See

- Wis. Stat. § 961.41(1) [Web Search](#)

Paraphernalia

It is illegal to use paraphernalia or possess paraphernalia with the intent to use it. Paraphernalia includes any item that will assist in the cultivation, distribution, ingestion, or inhalation of marijuana. This offense is a misdemeanor punishable by a fine of up to \$500 or up to 30 days of imprisonment.

See

- Wis. Stat. § 961.573(1) [Web Search](#)

The sale of paraphernalia it is a misdemeanor and is punishable by a fine of up to \$1,000 and/or 90 days of imprisonment.

See

- Wis. Stat. § 961.574(1) [Web Search](#)

Selling paraphernalia to a minor is a misdemeanor punishable by a fine of up to \$10,000 an/or up to 9 months of imprisonment.

See

- Wis. Stat. § 961.573 [Web Search](#)

Forfeiture

All controlled substances and items used to distribute them, including vehicles, are subject to forfeiture under Wisconsin law.

See

- Wis. Stat. § 961.55

[Web Search](#)

Miscellaneous

If a person is convicted of any violation the Uniform Controlled Substances Act, the court may, in addition to any other penalties that may apply to the crime, suspend the person's operating privilege for not less than 6 months nor more than 5 years. The person may be able to apply for an occupational license depending on the number of prior convictions.

See

- Wis. Stat. §961.50 [Web Search](#)

CONDITIONAL RELEASE

The state allows conditional release or alternative or diversion sentencing for people facing their first prosecutions. Usually, conditional release lets a person opt for probation rather than trial. After successfully completing probation, the individual's criminal record does not reflect the charge.

DRUGGED DRIVING

This state has a per se [drugged driving](#) law enacted. In their strictest form, these laws forbid drivers from operating a motor vehicle if they have a detectable level of an illicit drug or drug metabolite (i.e., compounds produced from chemical changes of a drug in the body, but not necessarily psychoactive themselves) present in their bodily fluids above a specific, state-imposed threshold. Further information about cannabinoids and their impact on psychomotor performance is available [here](#). Additional information regarding cannabinoids and proposed per se limits is available [here](#).

MEDICAL CBD

This state has passed a [medical CBD](#) law allowing for the use of cannabis extracts that are high in CBD and low in THC to treat severe, debilitating epileptic conditions.

Wisconsin CBD-Specific Marijuana Law

Status

2014

QUALIFYING CONDITIONS

- Seizure disorders

PATIENT POSSESSION LIMITS

Possession of cannabidiol in a form without a psychoactive effect

HOME CULTIVATION

No

STATE-LICENSED DISPENSARIES

No

CAREGIVERS

No

RECIPROCITY

No

CONTACT INFORMATION

N/A