



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3064/1
MDK:amn

2019 SENATE BILL 245

May 30, 2019 - Introduced by Senators JACQUE, RISSER, CARPENTER, SMITH, BEWLEY, LARSON and RINGHAND, cosponsored by Representatives KOLSTE, MURSAU, QUINN, OLDENBURG, SINICKI, MILROY, GOYKE, BILLINGS, OHNSTAD, CONSIDINE, CROWLEY, SUBECK, HESSELBEIN, ANDERSON, ZAMARRIPA, RODRIGUEZ, SKOWRONSKI, POPE, STUBBS and NEUBAUER. Referred to Committee on Government Operations, Technology and Consumer Protection.

1 **AN ACT** *to repeal and recreate* 101.123 (1) (h); and *to create* 101.123 (1) (k) of
2 the statutes; **relating to:** applying the indoor smoking ban to vapor products
3 and marijuana.

Analysis by the Legislative Reference Bureau

This bill revises the definition of “smoking” for purposes of the general prohibition under current law against smoking in indoor locations. Current law defines “smoking” as burning, holding, inhaling, or exhaling smoke from any of the following tobacco-containing items: a lighted cigar, cigarette, or pipe or any other lighted smoking equipment. This bill defines “smoking” as inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product that is intended for inhalation, including natural or synthetic marijuana, in any manner or in any form.

In addition, the bill specifies that “smoking” includes inhaling or exhaling vapor from a “vapor product,” which the bill defines as any noncombustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means that can be used to produce vapor from a solution or other substance. The bill specifies that “vapor product” includes an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or

