



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-3837/1  
MDK:amn

## 2019 SENATE BILL 442

September 23, 2019 - Introduced by Senators JACQUE, RISSER, BEWLEY, CARPENTER, DARLING, JOHNSON, LARSON, OLSEN, RINGHAND, SCHACHTNER and WANGGAARD, cosponsored by Representatives MURSAU, KOLSTE, ALLEN, ANDERSON, BILLINGS, BOWEN, CABRERA, CONSIDINE, DOYLE, FIELDS, GOYKE, HEBL, HESSELBEIN, HORLACHER, MILROY, L. MYERS, NEUBAUER, OHNSTAD, OLDENBURG, POPE, RAMTHUN, RODRIGUEZ, ROHRKASTE, SINICKI, SPIROS, STUBBS, SUBECK, C. TAYLOR, TITTL, TUSLER, VINING, VRUWINK and ZAMARRIPA. Referred to Committee on Government Operations, Technology and Consumer Protection.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to renumber* 101.123 (1) (h) 1., 101.123 (1) (h) 2., 101.123 (1) (h) 3. and  
2           101.123 (1) (h) 4.; *to amend* 101.123 (1) (h) (intro.); and *to create* 101.123 (1)  
3           (h) 2m. and 101.123 (1) (k) of the statutes; **relating to:** restrictions on the use  
4           of products used for inhaling or exhaling vapor.

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### *Analysis by the Legislative Reference Bureau*

This bill specifies that the term “smoking,” for purposes of the general prohibition under current law against smoking in indoor locations, 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 device. Also, a product satisfies the definition of “vapor product” regardless of whether the product contains nicotine.

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

5           **SECTION 1.** 101.123 (1) (h) (intro.) of the statutes is amended to read:  
6           101.123 (1) (h) (intro.) “Smoking” means burning any of the following:

