



2005 ASSEMBLY BILL 653

September 9, 2005 - Introduced by Representatives LEHMAN, BERCEAU, GIELOW, HINES, KERKMAN, OTT, SHERIDAN, TOWNSEND and TURNER, cosponsored by Senator LASSA. Referred to Committee on Criminal Justice and Homeland Security.

- 1 **AN ACT to create** 254.92 (5) of the statutes; **relating to:** providing a penalty for
2 the possession of a cigarette or tobacco product by a minor.

Analysis by the Legislative Reference Bureau

Under current law relating to public health, minors (persons under 18 years of age) may not purchase, attempt to purchase, or possess cigarettes or tobacco products other than in their course of employment during working hours or during their participation in unannounced investigations of retail outlets by local health departments, state agencies, or state or local law enforcement agencies. Law enforcement officers must seize cigarettes or tobacco products that are sold to and in the possession of minors.

This bill creates a penalty that is a fine of \$100 for the purchase, attempt to purchase, or possession of a cigarette or tobacco product by a minor, other than in the course of his or her employment or during his or her participation in an unannounced investigation of a retail outlet.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

