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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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<b>2003 Wisconsin Act 268</b> [2003 Assembly Bill 207]	<b>Prohibition on Smoking in University of Wisconsin Dorms</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

Current law, with some exceptions, prohibits smoking in the following places:

- Public conveyances;
- Inpatient health care facilities;
- Indoor movie theaters;
- Offices;
- Passenger elevators;
- Retail establishments;
- Public waiting rooms;
- Enclosed indoor areas of buildings owned by local or state units of government;
- The State Capitol and the immediate vicinity of the State Capitol;
- Motor buses;
- Hospitals;
- Physicians' offices;
- Day care centers;

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.

- Certain secured correctional facilities;
- Educational facilities that offer state-approved or state-licensed instruction for training; and
- Any restaurant whose seating capacity exceeds 50 persons and whose receipts from the sale of beer or liquor, or both, amount to 50% or less of the restaurant's receipts.

In some instances, a person in charge of an area in which smoking is prohibited, or his or her agent, may designate smoking areas within the area over which the person has charge.

Any person who willfully violates the smoking prohibition after being advised by an employee of the facility that smoking in the area is prohibited is subject to a \$10 forfeiture.

**Act 268** specifically prohibits smoking in residence halls and dormitories owned or operated by the University of Wisconsin (UW) System and within 25 feet of these residence halls and dormitories. The Act also provides that no person may designate smoking areas in these residence halls and dormitories or in any area within 25 feet of these residence halls and dormitories. A person who violates the prohibition against smoking in a UW residence hall or dormitory is subject to a \$10 forfeiture.

**Effective Date:** May 1, 2004

**Prepared by:** Mary Matthias, Senior Staff Attorney

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