



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-5404/1  
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## 2019 SENATE BILL 790

February 6, 2020 - Introduced by Senators LARSON, SHILLING, RINGHAND, BEWLEY and RISSER, cosponsored by Representatives POPE, HEBL, NEUBAUER, BILLINGS, EMERSON, RIEMER, ZAMARRIPA, CABRERA, MILROY, SARGENT, HESSELBEIN, SINICKI, SPREITZER, FIELDS, OHNSTAD, DOYLE, VINING, SUBECK, VRUWINK, C. TAYLOR, ANDERSON and BOWEN. Referred to Committee on Education.

1     **AN ACT** *to create* 118.07 (6) of the statutes; **relating to:** prohibiting vaping on  
2           public and private school property.

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***Analysis by the Legislative Reference Bureau***

This bill prohibits vaping on school premises. Under the bill, “school premises” is defined as any real property owned by, rented by, or under the control of a school board, operator or governing board of an independent charter school, or governing body of a private school. “School premises” includes outdoor spaces such as playgrounds and athletic fields. The bill defines vaping as inhaling or exhaling vapor from a vapor product, regardless of whether the liquid or other substance being heated to produce the vapor contains nicotine.

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

3           **SECTION 1.** 118.07 (6) of the statutes is created to read:  
4           118.07 (6) (a) In this subsection:  
5           1. “School premises” means all of the following:

**SENATE BILL 790****SECTION 1**

1 a. Real property owned or rented by, or under the control of, a school board,  
2 including playgrounds, athletic facilities or fields, and any other property that is  
3 occupied by pupils on a regular basis.

4 b. Real property owned or rented by an operator or governing board of a charter  
5 school that is used for the operation of a charter school, including playgrounds,  
6 athletic facilities or fields, and any other property that is occupied on a regular basis  
7 by pupils attending the charter school.

8 c. Real property owned or rented by the governing body of a private school that  
9 is used for the operation of a private school, including playgrounds, athletic facilities  
10 or fields, and any other property that is occupied on a regular basis by pupils  
11 attending the private school.

12 2. "Vape" means to inhale or exhale vapor from a vapor product.

13 3. "Vapor product" has the meaning given in s. 139.75 (14).

14 (b) No individual may vape on school premises.

15 (END)