



1997 SENATE BILL 143

April 2, 1997 - Introduced by Senators ADELMAN, BUETTNER, CLAUSING, RISSER and PLACHE, cosponsored by Representatives DUFF, HUBER, J. LEHMAN, LAZICH, LA FAVE, BOCK, URBAN, R. YOUNG, NOTESTEIN, STASKUNAS, TURNER, BALDWIN, MORRIS-TATUM and WASSERMAN. Referred to Committee on Economic Development, Housing and Government Operations.

1 **AN ACT to renumber and amend** 134.66 (5); **to amend** 134.66 (4) (a) 1.; and **to**
2 **create** 134.66 (5) (b) and (c) of the statutes; **relating to:** the sale of cigarettes
3 and tobacco products and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a county, town, village or city may enact an ordinance regulating the sale or giving away of cigarettes and tobacco products only if the ordinance is in strict conformity with the state statute regulating these activities.

This bill creates an exception to this strict conformity requirement by allowing a county, town, city or village to enact, as part of its ordinance, a prohibition against selling cigarettes or other tobacco products in a manner that results in their being directly accessible to the public. The ordinance may also prohibit a person from selling or giving away tobacco products without directly handing the tobacco product to the purchaser or other recipient.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

4 **SECTION 1.** 134.66 (4) (a) 1. of the statutes is amended to read:

