

1999 DRAFTING REQUEST

Bill

Received: **06/2/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Johnnie Morris-Tatum (608) 266-3756**

By/Representing: **George Salter**

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Trade Regulation**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Cigarette sales to minors

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 06/3/99	ygeller 06/5/99		_____			
/1			jfrantze 06/8/99	_____	lrb_docadmin 06/8/99	lrb_docadmin 06/8/99	

FE Sent For:

<END>



1999 DRAFTING REQUEST

Bill

Received: **06/2/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Johnnie Morris-Tatum (608) 266-3756**

By/Representing: **George Salter**

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Trade Regulation**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Cigarette sales to minors

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 06/3/99	ygeller 06/5/99		_____ _____			
/1			jfrantze 06/8/99	_____ _____	lrb_docadmin 06/8/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: 06/2/99

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Johnnie Morris-Tatum (608) 266-3756**

By/Representing: **George Salter**

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Trade Regulation**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Cigarette sales to minors

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	nilsepe	1/6/5 JG	6/6/7	6/17			

FE Sent For:

<END>

(ila) -3165/1

1997 ASSEMBLY BILL 47

1999 Bill

February 3, 1997 – Introduced by Representatives MORRIS-TATUM, BOYLE, BLACK, AINSWORTH, TURNER, NOTESTEIN, URBAN, LA FAVE, RILEY, COGGS, RYBA and WASSERMAN, cosponsored by Senator CLAUSING. Referred to Committee on State Affairs.

Regen

1 AN ACT to amend 134.66 (4) (a) 1., 134.66 (4) (a) 2. (intro.), 134.66 (4) (a) 2. a.,
2 134.66 (4) (a) 2. b. and 134.66 (4) (a) 4.; to repeal and recreate 134.66 (4) (a)
3 3.; and to create 134.66 (4) (a) 3m. of the statutes; relating to: sale of cigarettes
4 or tobacco products to minors and providing a penalty.

any person engaged in the business of manufacturing, distributing or selling

distribute or

prohibits
Analysis by the Legislative Reference Bureau

from selling or giving

~~Current~~ Current law, with certain exceptions, ~~a retailer, manufacturer or distributor of~~ cigarettes or tobacco products (cigarettes) ~~may not sell or provide~~ cigarettes to any person under the age of 18. A court may require a person who violates this prohibition to forfeit up to \$500, and may suspend the violator's license or permit to manufacture, ~~sell or distribute~~ cigarettes (license or permit) for a period of up to 30 days. Current law increases the minimum forfeiture, and the minimum and maximum duration of a license or permit suspension, based upon the number of violations committed within the previous 12 months.

amend

This bill eliminates the time period for counting previous violations and changes the penalties that apply. Under the bill, the penalties for violations are as follows:

- 1) For a first violation, a mandatory forfeiture of not less than \$500 nor more than \$1,000.
- 2) For a ~~2nd~~ ^{second} violation, a mandatory forfeiture of not less than \$1,000 nor more than \$2,000. In addition, the court must suspend the violator's license or permit for not less than 30 days nor more than 90 days.

ASSEMBLY BILL 47

3) For a ~~one~~^{third} or subsequent violation, the court must revoke the violator's license or permit.

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

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

134.66 (4) (a) 1. In this paragraph, "violation" means a violation of sub. (2) (a), (cm), (d) or (e) or a local ordinance which strictly conforms to sub. (2) (a), (cm), (d) or (e). For the purpose of determining whether a previous violation has occurred, if more than one violation occurs at the same time all those violations shall be counted as one violation.

occurring at that time

SECTION 2. 134.66 (4) (a) 2. (intro.) of the statutes is amended to read:

134.66 (4) (a) 2. (intro.) A person who commits a violation is ~~subject to a forfeiture of~~ shall be:

SECTION 3. 134.66 (4) (a) 2. a. of the statutes is amended to read:

134.66 (4) (a) 2. a. ~~Not Required to forfeit not less than \$500 nor more than \$500 \$1,000~~ if the person has not committed a previous violation within 12 months of the violation; or,

SECTION 4. 134.66 (4) (a) 2. b. of the statutes is amended to read:

134.66 (4) (a) 2. b. ~~Not Required to forfeit not less than \$200 \$1,000~~ nor more than \$500 \$2,000 if the person has committed a previous violation within 12 months of the violation.

SECTION 5. 134.66 (4) (a) 3. of the statutes is repealed and recreated to read:

134.66 (4) (a) 3. A court shall suspend any license or permit issued under s. 134.65, 139.34 or 139.79 to a person for not less than 30 days nor more than 90 days, if the court finds that the person committed one previous violation.

PROOF W/STATS.

97A-114

ASSEMBLY BILL 47

PROOF w/STATS.

1 SECTION 6. 134.66 (4) (a) 3m. ✓ of the statutes is created to read:

2 134.66 (4) (a) 3m. A court shall revoke any license or permit issued under s.
3 134.65, ✓ 139.34 ✓ or 139.79 ✓ to a person if the court finds that the person committed 2
4 or more previous violations.

5 SECTION 7. 134.66 (4) (a) 4. ✓ of the statutes is amended to read:

6 134.66 (4) (a) 4. The court shall promptly mail notice of a suspension under
7 subd. 3. or a revocation under subd. 3m. ✓ to the department of revenue and to the clerk
8 of each municipality which has issued a license or permit to the person.

9 SECTION 8. Initial applicability.

10 (1) This act first applies to violations committed on the effective date of this
11 subsection, ✓ but does not preclude the counting of other violations as previous
12 violations for sentencing a person.

13 (END) ✓

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 6/8/99

To: Representative Morris-Tatum

Relating to LRB drafting number: LRB-3165

Topic

Cigarette sales to minors

Subject(s)

Trade Regulation

1. **JACKET** the draft for introduction

in the **Senate** _____ or the **Assembly** Johanne Morris-Tatum (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Paul E. Nilsen, Legislative Attorney
Telephone: (608) 261-6926