

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3274/1dn
RJM:wlj:jf

October 1, 2003

Senator Risser:

This bill prohibits smoking in state-owned and state-leased buildings, except in designated rooms within residential facilities. It is generally the same as 2001 LRB-3362, which I previously drafted for you. The bill applies a \$50 forfeiture to violations, the same as currently applies to violations of the ban on smoking in the state capitol. Please let me know if you do not approve.

The bill strikes the reference to the state capitol building in s. 101.123 (2) (ar), stats., because the building is owned by the state and, thus, falls within the ban on smoking created under the bill. The bill does not affect the ban on smoking in the immediate vicinity of the state capitol currently in s. 101.123 (2) (ar), stats. The bill also retains the ban on smoking in Type 1 secured correctional facilities which was established in 2001 Wisconsin Act 16.

As under current law, the person in charge of any state-owned or state-leased residential facility where smoking areas are designated must post signs identifying the areas. See s. 101.123 (5), stats. Please let me know if you do not intend to require the posting of these signs.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: robert.marchant@legis.state.wi.us