

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2069/1dn
GMM:jld:nwn

March 6, 2007

Representative Nygren:

Wisconsin law is broader than Indiana law in that Wisconsin law prohibits employment discrimination based on use or nonuse of any lawful product, not just based on use of tobacco products. Also, Wisconsin already has an exception that permits an employer to offer health care coverage under which the type or price of coverage differs for an individual who uses or does not use a lawful product.

Accordingly, this bill permits an employer to offer financial incentives to discourage use of any lawful product, including tobacco products, as well as to encourage use of a lawful product, for example, an exercise machine.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.wisconsin.gov