



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2007 Senate Bill 379**

**Senate Amendment 1**

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**2007 Senate Bill 379** requires that cigarettes sold in Wisconsin meet a fire safety performance standard (“standard”). Each manufacturer that sells or offers to sell cigarettes in Wisconsin must file a written certification with the Department of Commerce (Commerce), certifying that each type of cigarette listed in the certification meets the standard, and pay a \$250 fee to Commerce for each type of cigarette listed in the certification. The manufacturer must also mark the cigarettes to show that the cigarettes meet the standard. The marking must be in 8-point or larger type and must be *a modification of the universal product code (UPC) that results in a visible mark being printed* at or near the UPC. The bill also provides that a city, village, town, or county may enact and enforce an ordinance or adopt and enforce a resolution regulating the fire safety performance of cigarettes that are sold or that are offered to be sold in Wisconsin only if the ordinance is in strict conformity with the provisions of the bill.

**Senate Amendment 1** removes the requirement that the marking be a modification of the UPC resulting in a visible mark. The amendment also removes the provision regarding municipal authority to enact and enforce ordinances or adopt and enforce resolutions regulating the fire safety performance of cigarettes. Lastly, the amendment requires that the certification fee paid by the manufacturer be credited to the appropriation in s. 20.143 (3) (j), Stats.

### **Legislative History**

Senate Amendment 1 was offered by Senator Carpenter. On February 7, 2008, the Senate Committee on Public Health, Senior Issues, Long-Term Care and Privacy recommended adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 5; Noes, 0.

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