

State of Misconsin 2013 - 2014 LEGISLATURE



2013 SENATE BILL 303

September 24, 2013 – Introduced by Senators Lassa and Lehman, cosponsored by Representatives Krug, Vruwink, Bies, A. Ott, Wachs, T. Larson, Loudenbeck and Sinicki. Referred to Energy, Consumer Protection, and Government Reform.

- 1 AN ACT to create 100.415 of the statutes; relating to: the display and sale of
- 2 novelty lighters and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits the sale of novelty lighters to minors and prohibits the display for retail sale of novelty lighters in an area of a retail establishment that is accessible to the general public. Under the bill, "novelty lighter" means a device containing a combustible fuel intended for use in igniting cigarettes, cigars, or pipes, if any of the following applies: 1) the device is designed to resemble a cartoon character, toy, gun, watch, musical instrument, vehicle, animal, food, or beverage, unless the resemblance is solely the result of printing or decoration with a logo, label, decal, artwork, or a heat–shrinkable sleeve; or 2) the device plays musical notes, has flashing lights, or has other features that are appealing to or intended for use by juveniles, except that "novelty lighter" does not include a device manufactured before 1980 or a device intended for use in igniting a fire in a fireplace or wood stove or in a charcoal or gas grill. A person who violates the prohibitions in the bill is subject to a forfeiture of up to \$100.

For further information see the *state* 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:

SENATE BILL 303

Section 1. 100.415 of the statutes is created to read:
100.415 Novelty lighters; sale and display restricted. (1) (a) In this
section, subject to par. (b), "novelty lighter" means a device containing a combustible
fuel intended for use in igniting cigarettes, cigars, or pipes, if any of the following
applies:
1. The device is designed to resemble a cartoon character, toy, gun, watch,
musical instrument, vehicle, animal, food, or beverage, unless the resemblance is
solely the result of printing or decoration with a logo, label, decal, artwork, or a
heat-shrinkable sleeve.

- 2. The device plays musical notes, has flashing lights, or has other features that appeal to or are intended for use by minors.
- (b) "Novelty lighter" does not include a device manufactured before 1980 or a device intended for use in igniting a fire in a fireplace or wood stove or in a charcoal or gas grill.
- (2) (a) No person may display a novelty lighter for retail sale in an area of a retail establishment that is accessible to the general public.
 - (b) No person may sell a novelty lighter to a minor.
- (3) Any person who violates this section is subject to a forfeiture not to exceed \$100.

20 (END)