WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

2013 Assembly Bill 391	**Assembly Amendment 1**
Memo published: **February 19, 2014**	*Contact*: **Laura Rose, Deputy Director (266-9791)**

2013 Assembly Bill 391 prohibits the sale of novelty lighters to minors. A novelty lighter is defined as a device containing a combustible fuel intended for use in igniting cigarettes, cigars, or pipes, if any of the following applies:

- 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.

- The device plays musical notes, has flashing lights, or has other features that appeal to or are intended for use by minors.

The bill provides that a novelty lighter does not include any of the following:

- A device manufactured before 1980.

- A device intended for use in igniting a fire in a fireplace, wood stove, or charcoal or gas grill.

The bill also prohibits the display of novelty lighters for retail sale in an area in a retail establishment that is accessible to the general public.

The bill also subjects anyone who violates the above provisions to a $100 civil forfeiture.

Assembly Amendment 1

Assembly Amendment 1 relocates an exception within the definition of novelty lighters to the list of other exceptions. Therefore, under the bill as amended, a novelty lighter does not include any of the following:

- A device manufactured before 1980.

- A device intended for use in igniting a fire in a fireplace, wood stove, or charcoal or gas grill.

- A standard disposable or refillable lighter that is printed or decorated with logos, labels, decals, artwork, or a heat-shrinkable sleeve.

Bill History

On February 11, 2014, the Assembly Committee on Consumer Protection recommended adoption of Assembly Amendment 1 on a vote of Ayes, 7; Noes, 0; and recommended passage of the bill, as amended, on a vote of Ayes, 9; Noes, 0.

LR:ksm