

2015 DRAFTING REQUEST

Bill

Received: 1/22/2015 Received By: mkunkel
Wanted: As time permits Same as LRB:
For: Julie Lassa (608) 266-3123 By/Representing: Jessica Ford-Kelly
May Contact: Drafter: mkunkel
Subject: Trade Regulation - other Addl. Drafters:
Extra Copies: MCP

Submit via email: YES
Requester's email: Sen.Lassa@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit sale of novelty lighters to minors

Instructions:

Redraft 2013 SB 303 as amended by SA1

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 1/22/2015	kfollett 1/23/2015	jmurphy 1/23/2015	_____			
/1				_____	mbarman 1/23/2015	srose 1/24/2015	State

FE Sent For:

act
intro

<END>

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/?	mkunkel	1/15f 1/23		_____			

FE Sent For: *Jan 4/23*

<END>



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3145/1
MDK:eev:jm

NOTE

68
1-23
1385/1
68

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.

However, state the bill provides that

any of the following:

- 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.

1 2)
3

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:

or 3) a standard disposable or refillable lighter that is printed or decorated with logos, labels, decals, artwork, or heat-shrinkable sleeves

SENATE BILL 303

1 **SECTION 1.** 100.415 of the statutes is created to read:

2 **100.415 Novelty lighters; sale and display restricted.** (1) (a) In this
3 section, subject to par. (b), “novelty lighter” means a device containing a combustible
4 fuel intended for use in igniting cigarettes, cigars, or pipes, if any of the following
5 applies:

6 1. The device is designed to resemble a cartoon character, toy, gun, watch,
7 musical instrument, vehicle, animal, food, or beverage, ~~unless the resemblance is~~
8 ~~solely the result of printing or decoration with a logo, label, decal, artwork, or a~~
9 ~~heat-shrinkable sleeve.~~

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

12 (b) “Novelty lighter” does not include a device manufactured before 1980 or a
13 device intended for use in igniting a fire in a fireplace or wood stove or in a charcoal
14 or gas grill.

15 **(2)** (a) No person may display a novelty lighter for retail sale in an area of a
16 retail establishment that is accessible to the general public.

17 (b) No person may sell a novelty lighter to a minor.

18 **(3)** Any person who violates this section is subject to a forfeiture not to exceed
19 \$100.

20

(END)

INSEAT 2-11



**SENATE AMENDMENT 1,
TO SENATE BILL 303**

February 25, 2014 - Offered by Senator LASSA.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 7: delete "beverage, unless the resemblance is" and substitute
3 "beverage." ✓

4 **2.** Page 2, line 8: delete lines 8 and 9. ✓

5 **3.** Page 2, line 12: delete lines 12 to 14 and substitute:

6 *CS* (b) "Novelty lighter" does not include any of the following:

- 7 1. A device manufactured before 1980.
- 8 2. A device intended for use in igniting a fire in a fireplace or wood stove or in
- 9 a charcoal or gas grill.
- 10 3. A standard disposable or refillable lighter that is printed or decorated with
- 11 logos, labels, decals, artwork, or heat-shrinkable sleeves. *CS*

INSEAT
7
2-11:

12 (END)

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

LRB-1385/1dn

MDK:.....

gf

Date

Sen. Lassa:



This bill is a redraft of 2013 SB-303, as amended by SA1.

Mark D. Kunkel
Senior Legislative Attorney
(608) 266-0131
mark.kunkel@legis.wisconsin.gov

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

LRB-1385/1dn
MDK:kjf:jm

January 23, 2015

Sen. Lassa:

This bill is a redraft of 2013 SB-303, as amended by SA1.

Mark D. Kunkel
Senior Legislative Attorney
(608) 266-0131
mark.kunkel@legis.wisconsin.gov

Parisi, Lori

From: Ford-Kelly, Jessica
Sent: Friday, January 23, 2015 3:38 PM
To: LRB.Legal
Subject: Draft Review: LRB -1385/1 Topic: Prohibit sale of novelty lighters to minors

Please Jacket LRB -1385/1 for the SENATE.