



2019 ASSEMBLY BILL 308

June 20, 2019 - Introduced by Representatives HORLACHER, FIELDS, BALLWEG, BOWEN, BRANDTJEN, DITTRICH, JAGLER, KULP, MACCO, RAMTHUN, SKOWRONSKI, SPIROS, SPREITZER, STEFFEN, THIESFELDT, TUSLER, WICHGERS and BORN, cosponsored by Senators WANGGAARD, RINGHAND, CARPENTER, COWLES, NASS, PETROWSKI and TIFFANY. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to renumber and amend* 941.26 (1c); *to amend* 941.26 (4) (a); and *to*
2 *create* 941.26 (1c) (a) of the statutes; **relating to:** pepper spray and CS gel
3 substances.

Analysis by the Legislative Reference Bureau

Under current law, a person is prohibited from selling, possessing, using, or transporting any container into which tear gas or any similar substance can be used or placed for use to cause bodily discomfort, panic, or damage to property. Current law provides that this prohibition does not apply to any device or container that contains a combination of oleoresin of capsicum and inert ingredients, commonly known as pepper spray. This bill specifies that the current prohibition on tear gas substances also does not apply to any device or container that contains CS gel and inert ingredients. CS gel is defined as nonatomizing, gel-form chlorobenzalmalonitrile, which is a product that has a similar effect to pepper spray.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 941.26 (1c) of the statutes is renumbered 941.26 (1c) (intro.) and
5 amended to read:

