



State of Wisconsin 2019 - 2020 LEGISLATURE

LRB-2042/1
MCP:ahe

2019 SENATE BILL 195

April 30, 2019 - Introduced by Senators TESTIN, WANGGAARD, OLSEN, JOHNSON and MARKLEIN, cosponsored by Representatives KRUG, VANDERMEER, BALLWEG, KULP, DITTRICH, MURSAU, THIESFELDT, TUSLER, BOWEN, SPIROS, SHANKLAND, SUBECK and TITTL. Referred to Committee on Government Operations, Technology and Consumer Protection.

1 AN ACT ***to create*** 100.435 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; or 2) the device plays musical notes, has flashing lights, or has other features that are appealing to or intended for use by juveniles. However, the bill provides that “novelty lighter” does not include any of the following: 1) a device manufactured before 1980; 2) a device intended for use in igniting a fire in a fireplace or wood stove or in a charcoal or gas grill; or 3) a standard disposable or refillable lighter that is printed or decorated with logos, labels, decals, artwork, or heat-shrinkable sleeves. 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 195

SECTION 1

SECTION 1. 100.435 of the statutes is created to read:

100.435 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.

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 any of the following:

1. A device manufactured before 1980.

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

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

(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

(END)