



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2730/1  
MLJ:ahc

## 2019 SENATE BILL 290

June 21, 2019 - Introduced by Senators WANGGAARD, RINGHAND, CARPENTER, COWLES, PETROWSKI, TIFFANY and NASS, cosponsored by Representatives HORLACHER, FIELDS, BALLWEG, BOWEN, BRANDTJEN, DITTRICH, JAGLER, KULP, MACCO, RAMTHUN, SKOWRONSKI, SPIROS, SPREITZER, STEFFEN, THIESFELDT, TUSLER and WICHGERS. Referred to Committee on Judiciary 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.

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***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 chlorobenzalmalononitrile, which is a product that has a similar effect to pepper spray.

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***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:

