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ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1995 ASSEMBLY BILL 516

March 6, 1996 - Offered by Representative WALKER.

AN ACT to renumber and amend 134.66 (5); to amend 48.983 (5) and 134.66 (4) (a) 1.; and to create 134.66 (5) (b) of the statutes; relating to: the authority of counties, towns, villages and cities to enact ordinances regulating the purchase, possession, sale or giving of cigarettes and tobacco products.

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

SECTION 1. 48.983 (5) of the statutes is amended to read:

48.983 (5) A county, town, village or city may adopt enact an ordinance regulating the conduct regulated by this section only if it strictly conforms to purchase or possession of cigarettes or tobacco products by a child, if the ordinance is at least as strict as this section. A county ordinance adopted enacted under this section does not apply within any town, village or city that has adopted or adopts enacted or enacts an ordinance under this subsection.

SECTION 2. 134.66 (4) (a) 1. of the statutes is amended to read:

1	134.66 (4) (a) 1. In this paragraph, "violation" means a violation of sub. (2) (a),
2	(c), (cm), (d) or (e) or a local ordinance which strictly conforms to sub. (2) (a), (c), (cm),
3	(d) or (e) that is enacted in compliance with sub. (5) (a).
4	Section 3. 134.66 (5) of the statutes is renumbered 134.66 (5) (a) and amended
5	to read:
6	134.66 (5) (a) A county, town, village or city may adopt enact an ordinance
7	regulating the conduct regulated by this section only if it strictly conforms to sale or
8	free distribution of cigarettes and tobacco products to minors if the ordinance is at
9	<u>least as strict as</u> this section.
10	(c) A county ordinance adopted enacted under this subsection does not apply
11	within any town, village or city that has adopted or adopts enacted or enacts an
12	ordinance under this subsection.
13	Section 4. 134.66 (5) (b) of the statutes is created to read:
14	134.66 (5) (b) A county, town, village or city may enact and enforce an ordinance
15	regulating the sale or free distribution of cigarettes and tobacco products to adults,
16	but the ordinance may not include a prohibition on the sale of cigarettes or tobacco
17	products to adults.
18	(END)