



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-0379/P1  
FFK:skw

DOA:.....Bollhorst, BB0085 - E-Cigarette Use on School Grounds

**FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

***Prohibiting vaping on school property***

This bill prohibits individuals from vaping on school premises. Under the bill, “school premises” is defined as any real property owned by, rented by, or under the control of a school board, operator or governing board of an independent charter school, or governing body of a private school. “School premises” includes outdoor spaces such as playgrounds and athletic fields. The bill defines vaping as inhaling or exhaling vapor from a vapor product, regardless of whether the liquid or other substance being heated to produce the vapor contains nicotine. Under current law, a school board, operator or governing board of an independent charter school, and governing body of a private school may prohibit vaping on school premises under its respective control.

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

**SECTION 1.** 118.07 (6) of the statutes is created to read:

118.07 (6) (a) In this subsection:

1. "School premises" means all of the following:

a. Real property owned or rented by, or under the control of, a school board, including playgrounds, athletic facilities or fields, and any other property that is occupied by pupils on a regular basis.

b. Real property owned or rented by an operator or governing board of a charter school that is used for the operation of a charter school, including playgrounds, athletic facilities or fields, and any other property that is occupied on a regular basis by pupils attending the charter school.

c. Real property owned or rented by the governing body of a private school that is used for the operation of a private school, including playgrounds, athletic facilities or fields, and any other property that is occupied on a regular basis by pupils attending the private school.

2. "Vape" means to inhale or exhale vapor from a vapor product.

3. "Vapor product" has the meaning given in s. 139.75 (14).

(b) No individual may vape on school premises.

**(END)**