



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 77
[2013 Assembly Bill 119]

Pepper Spray

2013 Wisconsin Act 77 relates to the regulation of oleoresin of capsicum, commonly known as pepper spray, in containers sold in this state.

The Act removes the limitation that pepper spray be displayed only behind a sales counter, and eliminates the requirement for a highlighted caution statement on its packaging. The Act maintains the statutory requirement for pepper spray to be properly labeled and to be sold with written safety instructions.

The Act removes the requirements for the Department of Justice (DOJ) to promulgate specific rules governing pepper spray standards, including percentage of active ingredients, range of spray, weight, and safety packaging. The Act prohibits DOJ from promulgating or enforcing such rules.

The Act maintains the limitations on who may purchase pepper spray, and adds an exception allowing a minor to possess pepper spray if provided by a parent, guardian, or legal custodian.

Effective date: 2013 Wisconsin Act 77 took effect December 14, 2013, and applies to sales of pepper spray that occur on or after that date.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.