



**State of Wisconsin  
1995 - 1996 LEGISLATURE**

LRB-3185/1  
TAY:skg:km

## **1995 ASSEMBLY BILL 246**

March 23, 1995 – Introduced by Representatives WIRCH, GROBSCHMIDT, L. YOUNG, BLACK, R. YOUNG, GOETSCH, BOCK, LADWIG, DOBYNS, BALDWIN, WALKER, OTT, BOYLE, WASSERMAN, LA FAVE, URBAN and RILEY, cosponsored by Senators CLAUSING, BURKE, ROSENZWEIG, RISSER and BUETTNER. Referred to Committee on State Affairs.

1   **AN ACT to amend** 101.123 (2) (am) 1. and 101.123 (4) (a) 2. of the statutes;  
2   **relating to:** prohibiting smoking in the state capitol building.

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### ***Analysis by the Legislative Reference Bureau***

Current law prohibits smoking in certain specified places, such as educational facilities, theaters, restaurants and offices, except in areas designated as smoking areas by the person in charge of the building or facility. This law covers any enclosed, indoor areas of a state building. Current law also prohibits a person in charge from designating any smoking area on a motor bus, in physicians' offices and, with some exceptions, in hospitals.

This bill prohibits any smoking in the state capitol building and provides that there may be no designated smoking areas in the capitol building.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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

3   **SECTION 1.** 101.123 (2) (am) 1. of the statutes is amended to read:  
4                 101.123 (2) (am) 1. Notwithstanding par. (a) and sub. (3) and except as provided  
5                 in subd. 2., no person may smoke in a motor bus, in the state capitol building, in a  
6                 hospital or in a physician's office.

7   **SECTION 2.** 101.123 (4) (a) 2. of the statutes is amended to read:

1           101.123 (4) (a) 2. A person in charge or his or her agent may not designate an  
2 entire building as a smoking area or designate any smoking areas in a motor bus, in  
3 the state capitol building, in a hospital, or in a physician's office or on the premises,  
4 indoors or outdoors, of a day care center when children who are receiving day care  
5 services are present, except that in a hospital or a unit of a hospital that has as its  
6 primary purpose the care and treatment of mental illness, alcoholism or drug abuse  
7 a person in charge or his or her agent may designate one or more enclosed rooms with  
8 outside ventilation as smoking areas for the use of adult patients who have the  
9 written permission of a physician. Subject to this subdivision and sub. (3) (b), a  
10 person in charge or his or her agent may not designate an entire room as a smoking  
11 area.

12 (END)