



2011 SENATE BILL 389

January 19, 2012 – Introduced by Senators GROTHMAN and KEDZIE, cosponsored by Representatives KOOYENGA, PRIDEMORE, ENDSLEY, BERNIER, KESTELL and CRAIG. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **AN ACT** *to renumber* 101.123 (1) (h); and *to create* 101.123 (1) (h) 2m. of the
2 statutes; **relating to:** exempting electronic smoking devices from the types of
3 smoking devices that may not be used in certain locations.

Analysis by the Legislative Reference Bureau

Current law prohibits smoking in most indoor locations that are not private residences, including lodging establishments. Current law defines “smoking” to mean burning or holding, or inhaling or exhaling smoke from, any lighted smoking equipment containing tobacco including a cigar, cigarette, or pipe.

This bill specifies that the term “smoking,” for purposes of the general prohibition against smoking in indoor locations, does not include holding, or inhaling or exhaling vapor or a vaporized solution from, an electronic device that does not contain tobacco.

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

4 **SECTION 1.** 101.123 (1) (h) of the statutes is renumbered 101.123 (1) (h) 1m.

5 **SECTION 2.** 101.123 (1) (h) 2m. of the statutes is created to read:

