



## 2025 ASSEMBLY BILL 211

April 23, 2025 - Introduced by Representatives GUSTAFSON, ORTIZ-VELEZ, CALLAHAN, GUNDRUM, ARMSTRONG, ZIMMERMAN, MELOTIK, BRILL, KRUG, KITCHENS, GOEBEN, KNODL, TITTL, DONOVAN, PENTERMAN, WICHGERS, PRONSCHINSKE, MURSAU, MURPHY, GREEN, TUCKER, B. JACOBSON, BEHNKE, DALLMAN, NEYLON, WITTKE, SINICKI, PIWOWARCZYK, RODRIGUEZ, MIRESE and KIRSCH, cosponsored by Senators TOMCZYK, FEYEN, NASS, TESTIN and CABRAL-GUEVARA. Referred to Committee on State Affairs.

- 1     **AN ACT** *to create* 101.123 (3) (n) of the statutes; **relating to:** exempting tobacco  
2     bars from the public smoking ban.

---

### *Analysis by the Legislative Reference Bureau*

This bill exempts tobacco bars from the general prohibition under current law against smoking in indoor locations if the tobacco bar satisfies all of the following: 1) the tobacco bar came into existence on or after June 4, 2009; 2) only the smoking of cigars and pipes is allowed in the tobacco bar; and 3) the tobacco bar is not a retail food establishment. Current law defines a “tobacco bar” as a tavern that generates 15 percent or more of its annual gross income from the sale on the tavern premises, other than from a vending machine, of cigars and pipe tobacco. Also, under current law, tobacco bars that existed on June 3, 2009, are exempt from the general prohibition against smoking in indoor locations.

---

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

- 3     **SECTION 1.** 101.123 (3) (n) of the statutes is created to read:  
4     101.123 (3) (n) A tobacco bar that satisfies all of the following:  
5     1. The tobacco bar came into existence on or after June 4, 2009.

# ASSEMBLY BILL 211

## SECTION 1

1            2. Only the smoking of cigars and pipes is allowed in the tobacco bar.

2            3. The tobacco bar is not a retail food establishment, as defined in s. 97.30 (1)

3 (c).

4 (END)