



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-6146/1  
KP:amn

## 2021 SENATE BILL 1031

February 24, 2022 - Introduced by Senators CARPENTER, AGARD and ROYS, cosponsored by Representatives BILLINGS, POPE, VINING, BALDEH, BOWEN, CABRERA, CONLEY, CONSIDINE, HEBL, MILROY, SHELTON, SINICKI, STUBBS, SUBECK and VRUWINK. Referred to Committee on Government Operations, Legal Review and Consumer Protection.

1     **AN ACT** *to repeal and recreate* 101.123 (1) (h); and *to create* 101.123 (1) (ah)  
2             of the statutes; **relating to:** applying the indoor smoking ban to electronic  
3             smoking devices and marijuana.

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

This bill revises the definition of “smoking” for purposes of the general prohibition under current law against smoking in indoor locations. The bill defines “smoking” as inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product that is intended for inhalation, including natural or synthetic marijuana, in any manner or in any form. Current law defines “smoking” as burning, holding, inhaling, or exhaling smoke from any of the following tobacco-containing items: a lighted cigar, cigarette, or pipe or any other lighted smoking equipment.

In addition, the bill specifies that “smoking” includes inhaling or exhaling an aerosolized or vaporized liquid or other substance from an “electronic smoking device.” The bill defines “electronic smoking device” as any device that can be used to deliver an aerosolized or vaporized liquid or other substance for inhalation, regardless of whether the liquid or other substance contains nicotine, including an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.

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

