



State of Wisconsin
2019 - 2020 LEGISLATURE

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**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 422**

February 19, 2020 - Offered by Representatives KOLSTE, BILLINGS, SARGENT and VINING.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 7: after “products,” insert “providing a legal age for sale,
3 purchase, and possession of vapor products,”.

4 **2.** Page 2, line 1: before that line insert:

5 “SECTION 1e. 134.66 (title) of the statutes is amended to read:

6 **134.66 (title) Restrictions on sale or gift of cigarettes or nicotine, vapor,
7 or tobacco products.**

8 **SECTION 1m.** 134.66 (1) (g) of the statutes is amended to read:

9 134.66 (1) (g) “Retailer” means any person licensed under s. 134.65 (1) and any
10 person that sells, exposes for sale, possesses with intent to sell, exchanges, barter,
11 disposes of, or gives away any vapor products to any person not holding a license
12 under s. 134.65 (1), 139.30 to 139.41, or 139.79.

1 **SECTION 1s.** 134.66 (1) (jm) of the statutes is created to read:

2 134.66 (1) (jm) “Vapor product” has the meaning given in s. 139.75 (14).”.

3 **3.** Page 2, line 7: delete “nicotine products, or tobacco products” and substitute
4 “nicotine products, ~~or tobacco products,~~ or vapor products”.

5 **4.** Page 2, line 10: delete the material beginning with “nicotine products,” and
6 ending with “tobacco products” on line 11 and substitute “nicotine products, ~~or~~
7 tobacco products, or vapor products”.

8 **5.** Page 3, line 7: delete “or tobacco products” and substitute “~~or tobacco~~
9 products, or vapor products”.

10 **6.** Page 3, line 16: delete the material beginning with “cigarettes” and ending
11 with “tobacco product” on line 17 and substitute “cigarettes ~~or,~~ tobacco products, or
12 vapor products are sold to consumers stating that the sale of any cigarette ~~or,~~ tobacco
13 product, or vapor product”.

14 **7.** Page 3, line 21: delete the material beginning with “cigarette” and ending
15 with “tobacco product” on line 22 and substitute “cigarette ~~or,~~ tobacco product, or
16 vapor product”.

17 **8.** Page 4, line 1: delete the material beginning with “cigarettes” and ending
18 with “tobacco products” on line 2 and substitute “cigarettes ~~or,~~ tobacco products, or
19 vapor products”.

20 **9.** Page 4, line 8: after that line insert:

21 “**SECTION 1z.** 134.66 (2m) (a) of the statutes is amended to read:

22 134.66 (2m) (a) Except as provided in par. (b), at the time that a retailer hires
23 or contracts with an agent, employee, or independent contractor whose duties will
24 include the sale of cigarettes, vapor products, or tobacco products, the retailer shall

1 provide the agent, employee, or independent contractor with training on compliance
2 with sub. (2) (a) and (am), including training on the penalties under sub. (4) (a) 2. for
3 a violation of sub. (2) (a) or (am). The department of health services shall make
4 available to any retailer on request a training program developed or approved by that
5 department that provides the training required under this paragraph. A retailer
6 may comply with this paragraph by providing the training program developed or
7 approved by the department of health services or by providing a comparable training
8 program approved by that department. At the completion of the training, the retailer
9 and the agent, employee, or independent contractor shall sign a form provided by the
10 department of health services verifying that the agent, employee, or independent
11 contractor has received the training, which the retailer shall retain in the personnel
12 file of the agent, employee, or independent contractor.”.

13 **10.** Page 4, line 13: delete the material beginning with “cigarettes” and ending
14 with “products” on line 14 and substitute “cigarettes or tobacco products, or vapor
15 products”.

16 **11.** Page 6, line 6: after “NICOTINE PRODUCTS,” insert “VAPOR
17 PRODUCTS,”.

18 **12.** Page 6, line 7: after that line insert:

19 “**SECTION 6m.** 254.911 (11) of the statutes is created to read:

20 254.911 (11) “Vapor product” has the meaning given in s. 139.75 (14).”.

21 **13.** Page 6, line 12: delete “or tobacco product” and substitute “or tobacco
22 product, or vapor product”.

1 **14.** Page 7, line 15: delete the material beginning with “**cigarettes**” and
2 ending with “**products**” on line 16 and substitute “**cigarettes ~~or~~, tobacco**
3 **products, nicotine products, or vapor products**”.

4 **15.** Page 7, line 21: delete that line and substitute “~~or tobacco product, or~~
5 vapor product.”.

6 **16.** Page 8, line 1: delete “or tobacco product” and substitute “~~or tobacco~~
7 product, or vapor product”.

8 **17.** Page 8, line 5: delete “or tobacco products” and substitute “~~or tobacco~~
9 products, or vapor products”.

10 **18.** Page 8, line 9: delete the material beginning with “nicotine products, or”
11 and ending with “tobacco products” on line 10 and substitute “nicotine products, ~~or~~
12 tobacco products, or vapor products”.

13 **19.** Page 8, line 13: delete the material beginning with “tobacco products, or”
14 and ending with “nicotine products” on line 14 and substitute “tobacco products, ~~or~~
15 nicotine products, or vapor products”.

16 **20.** Page 8, line 19: delete “or tobacco product” and substitute “~~or tobacco~~
17 product, or vapor product”.

18 **21.** Page 8, line 25: delete “or tobacco product” and substitute “tobacco
19 product, or vapor product”.

20 **22.** Page 9, line 2: delete the material beginning with “cigarettes” and ending
21 with “to persons” on line 3 and substitute “cigarettes, nicotine products, tobacco
22 products, or vapor products to persons”.

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(END)