

To: All Legislators

From: Representatives Jill Billings and Robyn Vining

Date: February 19, 2024

Re: Co-sponsorship of LRB-4973/1 relating to: applying the indoor smoking ban to electronic smoking devices and marijuana

Deadline: Wednesday, January 24 at 5 pm

In 2009, Wisconsin passed a statewide smoke-free air law for indoor areas to eliminate the impact of secondhand smoke from cigarettes, cigars, and other tobacco products in public places. This legislation adds electronic smoking devices and marijuana to Wisconsin's indoor smoke-free air law.

Several studies have found that the chemicals in e-cigarettes vary greatly from product to product and can include harmful components linked to lung disease and cancer. Some [e-cigarettes even include heavy metals such as nickel and lead](#). [E-cigarette pods can contain as much nicotine as 20 cigarettes](#) and even acute exposure to nicotine can be toxic for children, poisoning them when inhaled or absorbed through their skin or eyes.

Despite the perceived lack of danger of e-cigarettes amongst many younger people, the real health impacts of such devices are widely recognized by health professionals. As of March 2023, 17 states, the District of Columbia, and Puerto Rico have added e-cigarettes to their smoke-free indoor air laws.

As of September 2021, [sixteen states, the District of Columbia, and Puerto Rico have added e-cigarettes to their existing smoke-free laws](#). Additionally, in states that have legalized marijuana, including California, Colorado, Maine and others, smoking marijuana is prohibited indoors in public places. Prohibiting the use of e-cigarettes and marijuana in workplaces and communal venues will help safeguard public health and ensure that vulnerable populations are not subject to harmful or unwanted pollutants.

To be added as a co-sponsor of this bill, please respond to this email or call Rep. Billings' office at 6-5780 by 5 pm on Wednesday, January 24.

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.