



### Comments on Senate Bill 268/Assembly Bill 273

While the Wisconsin Public Health Association (WPHA) and the Wisconsin Association of Local Health Departments and Boards (WALHDAB) support licensing vaping shops, the statute contains outdated language that falls short of public health best practice policy. One problem is that instead of changing the definition of tobacco products to include e-cigarettes, this bill maintains the current separate term and definition, "electronic vaping devices." This term and its definition - and separating e-cigarettes from tobacco products - are supported by the tobacco industry. In addition, this bill increases penalties for evading excise taxes. However, it does not increase the maximum retail license fee, which has stagnated at \$100 max. This bill continues to pre-empt local governments from creating stronger public health regulations locally or increasing the fee for a retail license higher than \$100. Public health advocates support higher retailer licensing fees, but fining those who evade excise taxes may disproportionately impact populations that already bear a disparate burden of tobacco (e.g., African Americans or individuals with low socioeconomic status).