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December 6, 2023

To: Wisconsin Senate Committee on Insurance and Small Business  
From: The American Cancer Society Cancer Action Network  
Re: Testimony in Opposition to Senate Bill 471

Good morning, Chairwoman Felzkowski and members of the Committee,

My name is Sara Sahli, I'm the Government Relations Director for the American Cancer Society Cancer Action Network (ACS CAN) in Wisconsin. ACS CAN and our board members, volunteers, and staff advocate for public policies that reduce death and suffering from cancer.

I am here today to testify in opposition to Senate Bill 471, a bill that would create a significant loophole in Wisconsin's Indoor Smokefree Air Law and undermine the strong smokefree workplace protections currently in place in Wisconsin. Senate Bill 471 is substantially more comprehensive and more harmful than it looks.

Senate Bill 471 would weaken Wisconsin's smokefree air law by allowing cigar and pipe tobacco smoking in so-called "tobacco bars." Current law defines a tobacco bar as a tavern that generates 15 percent or more of its annual gross income from the sale of cigars and pipe tobacco. This proposed law would allow cigar and pipe smoking in any bar that meets the 15 percent sales threshold. In addition to the loophole in clean indoor air protections, Wisconsin would need to create new procedures to track the location and revenue of tobacco bars. This would be logistically difficult, expensive for taxpayers, and could create new red tape for all taverns. The proposed change complicates the law and would require training for law enforcement.

Additionally, in Wisconsin, cigarettes wrapped in brown paper are classified and taxed as a cigar. These brown cigarettes/little cigars are identical in size and shape to cigarettes, are sold in cigarette-like packs of 20, and have a filter like a cigarette. This bill isn't a cigar bar bill, focused as narrowly as some like to describe it. It is a tobacco bar bill, as the law states, allowing use of a wide array of harmful products.

Any proposal to allow cigar and pipe smoking in our smokefree workplaces creates a loophole in Wisconsin's wildly popular smokefree air law and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use. Current law has been in place for 14 years and recent polling shows 77% of Wisconsinites support this law (and 18% neither support nor oppose). We need to continue to protect everyone's right to breathe smokefree air and maintain there is no such thing as an "acceptable smoking culture" that doesn't harm the public and increase exposure to cancer-causing substances.

If passed, workers and patrons will be exposed to secondhand smoke which goes against the intent of the law and allows more erosions in the future.

A strong law covers all people and workers. Everyone has the right to breathe smokefree air and that includes those in hospitality venues, work environments, and other public places. A strong law prohibits cigar use in cigar and tobacco shops, and bars identified as "tobacco bars."

This is an important issue for our organization and volunteer advocates in the state and we ask that committee members please vote no on Senate Bill 471.

Thank you for your time.