

# Commerce involvement with “No Smoking” law will be minimal

As developed by the legislature and signed by the governor. 2009 Wisconsin Act 12 sets forth statewide restrictions on smoking in places of employment and other spaces. The act, which is effective July 5, 2010, will stand on its own and will not be the subject of further rules from Commerce, except for specifications related to “No Smoking” signs.

Smoking and related restrictions are not governed by the Wisconsin Commercial Building Code. Therefore, while Commerce has the authority to review construction plans for building code purposes, the department does not have the authority to perform any smoking-ban interpretations, inspections, plan reviews or enforcement. Commerce staff will not be defining terms in the law or providing consultation on the law.

Enforcement, according to Act 12, can be done by the state Department of Justice or by local law enforcement officials.

Municipalities will have the ability to create ordinances or policies related to smoking. These ordinances or policies may be more stringent than set forth in Act. 12. Questions concerning restrictions on smoking in public spaces can be directed to local officials.