

Wisconsin state law § 134.65 requires all retail locations that sell cigarettes or tobacco products, not including electronic cigarettes, to obtain a license each year.

State law allows communities to set an annual licensing fee and sets the maximum fee at \$100. Local licensing ordinances provide municipalities the opportunity to more effectively enforce all laws that apply to tobacco sales including maximizing the revenue collected.

## BENEFITS OF LOCAL TOBACCO RETAIL LICENSING ORDINANCES

- ▶ Ensure compliance with tobacco-related laws
- ▶ Reduce illegal tobacco sales to minors
- ▶ Help finance effective enforcement programs
- ▶ Provide comprehensive enforcement procedures
- ▶ Have minimal impact on retailers
- ▶ Maintain a list of where tobacco is sold
- ▶ Provide educational opportunities for tobacco retailers and employees

### LOCAL OPPORTUNITIES

1. Increase the local tobacco retail license fee to the maximum amount of \$100
2. Adopt state law language, §134.65 and § 134.66
3. Earmark funds for compliance and enforcement
4. Grant citation authority to local health department or tobacco prevention agency

### WI LAW § 134.65

- ▶ Annual renewal (July 1 - June 30)
- ▶ Issued by municipality
- ▶ License fee may be between \$5 - \$100 per year
- ▶ Amount set by municipality
- ▶ Includes sales of cigarette and tobacco products

#### **Selling tobacco products to minors is illegal under state and federal law, why can't state and federal agencies enforce these laws?**

Local licensing programs are still the best means of reducing illegal tobacco sales to minors and addressing the unique challenges faced by each community. These policies generate revenue for local communities and provide opportunities to expand enforcement authority to local health agencies. Compliance with tobacco sales laws is an important component for keeping tobacco out of the hands of our youth. In addition to local efforts, there are two Wisconsin programs (WI Wins and FDA compliance) that educate retailers on state and federal laws and check compliance with the requirements. These programs are further enhanced by strong, local tobacco retail licensing ordinances.

#### **Is it legal to require a retailer to pay for a tobacco license from a city or county?**

Communities may establish local ordinances regulating tobacco retail licensing and sales to the extent permitted by Wisconsin state law. Local tobacco retail licensing fees may be set at a maximum of \$100 annually per Wisconsin law § 134.65. Communities can use the money collected for local compliance and enforcement efforts.

Tobacco retail licenses allow communities to maintain an inventory of all the businesses that are selling tobacco. Tobacco retail licenses are similar to other required licenses, including alcohol and liquor licenses.

Tobacco retailers and their employees can learn more about the state's tobacco sales laws and receive free resources and training at [witobaccocheck.org](http://witobaccocheck.org).