



July 15, 2025

Dear Members of the Wisconsin State Legislature,

We are writing to express opposition to Assembly Bill 211/Senate Bill 211 relating to: “exempting tobacco bars from the public smoking ban” and ask that you do not support this bill.

This bill would create a loophole and weaken Wisconsin’s smokefree air law by allowing smoking of cigars, brown cigarettes, and pipe tobacco in so-called “tobacco bars.” It undermines Wisconsin’s smokefree air law which, as applied, is broadly popular, with 77.5% of Wisconsinites supporting the law.ⁱ

Current law defines a tobacco bar as a tavern that existed on June 3, 2009, and generates 15 percent or more of its annual gross income from the sale of cigars, and pipe tobacco. In Wisconsin, this would include cigarettes wrapped in brown paper, which are classified (and taxed) as a cigar. These brown cigarettes, known as “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. The only difference is they are wrapped in brown paper instead of white paper.



If the author’s goal is to create cigar lounges, this language - allowing any tavern that generates 15 percent or more of its sales from cigar, brown cigarette, and pipe tobacco to become a “tobacco bar” does not achieve that goal. We also contest the claim that these would be adult only establishments, there is currently no age restriction for taverns in WI and this bill does not change that. The current bill language also leaves it open for future, further erosions of our smoke-free air law.

In addition to the loophole in clean indoor air protections, it is unclear who verifies the sales threshold, and who will regulate or enforce the new law. This means it will be difficult for law enforcement to identify whether taverns meet the 15 percent sales threshold and enforce what products are being smoked. Wisconsin would need to create new procedures to track the location and revenue of tobacco bars – this bill does not put any of those procedures in place. Furthermore, communities do not have the authority to decide whether these establishments can or cannot operate locally as there is not a separate tobacco bar license and this bill does not create them. Under the proposed law, a tavern would only be required to obtain a tobacco retailer license to operate as a tobacco bar. Wisconsin’s tobacco retailer law preempts local communities from denying a license to a business except for very narrow circumstances outlined in state law. This does not ensure true local control and is the reason several municipalities have worked on zoning laws at the local level as the means for limiting tobacco retail businesses.

This bill isn’t a narrow cigar bar/lounge bill as we’ve heard in recent testimony. It is a tobacco bar bill, as the bill states, allowing use of a wide array of harmful and addictive products that impair health and public health.

We urge you to oppose this legislation.

Thank you for your consideration,

American Cancer Society Cancer Action Network
American Heart Association
American Lung Association
Americans for Nonsmokers' Rights
Campaign for Tobacco Free Kids
Children's Hospital of Wisconsin
Coalition of Wisconsin Aging and Health Groups
Emplify Health

UW Health
UW School of Medicine and Public Health
Wisconsin Association of Local Health Departments and Boards
Wisconsin Allergy Society
Wisconsin Asthma Coalition
Wisconsin Medical Society
Wisconsin Public Health Association
Wisconsin Primary Healthcare Association

For additional information, please reach out to:

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ⁱ Wisconsin Tobacco Facts: Adults. February 2023. https://www.cuph.org/uploads/2/5/8/5/25855930/tobacco_facts_adults_2023_february_1_.pdf