

Testimony in Support of Assembly Bill 524

Assembly Committee on State Affairs

Wednesday, December 3, 2025

Chairman Swearingen and committee members, thank you for holding this hearing today and allowing me to speak in support of Assembly Bill (AB) 524. I appreciate Representative Mursau and Senator James' willingness to bring this important legislation forward.

Back in 2019, President Trump signed legislation into law that raised the legal age to buy tobacco and nicotine products to 21 years old. However, because the legal age remains 18 years old under current state law, enforcement is difficult at best. While the U.S. Food and Drug Administration does conduct its own compliance checks and can enforce the federal Tobacco 21 law, local health departments and law enforcement cannot. This means that if a Wisconsin agency conducts a compliance check and a retailer sells a tobacco product to a person younger than 21 but who is at least 18, local law enforcement cannot take action. I have heard from both law enforcement and public health officials in my district with concerns about their inability to enforce the Tobacco 21 law and the need to update state law to align with this federal law.

This lack of alignment between state and federal law has also created confusion for retailers. When I spoke with the Clark County Health Department earlier this year, they told me the percentage of retailers who sold tobacco products to underage buyers has risen since the Tobacco 21 law took effect in 2019. They believe that much of this is due to retailer confusion and the inability for local law enforcement to enforce the Tobacco 21 law. They also expressed concern that if Wisconsin's violation rate rises above 20%, Wisconsin could be at risk of losing federal funding for substance abuse prevention programs.

In addition to the enforcement issues caused by Wisconsin's current law, a major benefit of increasing the legal age to 21 is keeping tobacco and nicotine products out of the hands of minors. With the rise of vaping devices, it has become much easier for young people to use nicotine products without detection. When 18-year-olds are allowed to purchase these products, they often find their way into the hands of younger friends and classmates. Increasing the age to 21 breaks that social supply chain as 21-year-olds are out of high school and are less likely to be in the same social circles as minors.

Mr. Chairman and members, it is time for Wisconsin to join the vast majority of other states and align our state law with the federal Tobacco 21 law. I ask for your support of AB 524, and thank you again for the opportunity to testify before you today.