

Party of Wisconsin

FOR IMMEDIATE RELEASE

**Libertarian Party of Wisconsin Condemns Vape Registry Law, Warns of Harm to Hemp Industry**

The Libertarian Party of Wisconsin strongly opposes the anti-choice consequences of Wisconsin Statute 995.15, enacted under 2023 Act 73, which mandates that by July 1, 2025, all electronic vaping devices sold in the state be certified and listed in a state registry—or face steep penalties. This law is not just regulatory overreach, it’s a direct threat to small businesses, consumer freedom, and Wisconsin’s hemp cannabis industry.

As outlined in the Wisconsin Department of Revenue’s official notice, manufacturers must prove either:

* FDA marketing authorization; or

1. That the device was marketed in the U.S. as of August 8, 2016;
2. Had a PMTA submitted by September 9, 2020;
3. And the FDA application is still pending with no final decision.

Devices that do not meet these criteria must be pulled from the market. Violators face a $1,000 per day fine and potential classification as fraudulent actors under state law. This disproportionately affects smaller, innovative producers, particularly those making hemp-derived, non-nicotine products that are not subject to FDA tobacco regulation.

To address this, Senate Bill 257 and Assembly Bill 234, introduced in May 2025 by Senator Patrick Testin and Representatives Kurtz and Zimmerman, aim to exempt hemp-derived vaping products from the registry while still requiring them to be listed and verified via a certificate of analysis. This correction acknowledges that Act 73’s authors did not intend to regulate hemp vapes, and protects jobs, entrepreneurs, and consumer access in Wisconsin.

SB 257 passed out of the Senate Committee on Agriculture and Revenue with only Senator André Jacque opposed. AB 234 passed the Assembly Committee on State Affairs 8–2. Both bills are now eligible for scheduling on the floor, awaiting action by legislative leadership.

Some in the majority remain skeptical of hemp and cannabis products, meaning this vote will be a revealing test of the 2025–26 legislature’s stance on liberty and economic innovation.

As Libertarians, we view this law as just the latest chapter in a long and shameful history of state overreach. The government has been wrong about cannabis for more than 80 years, and instead of stepping aside, it continues to create new obstacles for peaceful people making peaceful choices.

The right to choose what you put in your body should not be subject to approval by bureaucrats or monopolists. Real freedom includes the freedom to inhale, without fear, penalty, or crony favoritism.

For more on the Libertari[an](http://www.lpwi.org/) Party of Wisconsin, please visit [www.lpwi.org.](http://www.lpwi.org/)

Libertarian Party of Wisconsin [press@lpwi.org](mailto:press@lpwi.org)

Party Chair- Reese Wood