



2017 SENATE BILL 551

November 20, 2017 - Introduced by Senator MOULTON, cosponsored by Representatives KLEEFISCH, MILROY, MURSAU, CROWLEY, HORLACHER, THIESFELDT and TITTL. Referred to Committee on Sporting Heritage, Mining and Forestry.

1 **AN ACT** *to amend* 29.091 (1), 29.161 (2), 29.164 (2) (b), 29.173 (2) (a), 29.182 (3)
2 (a), 29.182 (3) (b), 29.184 (3) (c), 29.185 (6) (a) 1., 29.185 (6) (b), 29.193 (2) (d),
3 29.204 (2), 29.207 (2), 29.211 (2), 29.213 (2), 29.304 (title), 29.304 (1) (a), 29.304
4 (1) (b), 29.304 (2) (b) (intro.), 29.304 (2) (b) 2., 29.304 (3) (b) (intro.), 29.304 (3)
5 (b) 2., 29.304 (5) (a), 29.304 (5) (b) 2., 29.312 (2), 29.314 (3) (a), 29.314 (3) (b) 4.,
6 29.314 (4) (a), 29.324 (1) (b), 29.324 (1) (c), 29.592 (1) (intro.), 29.592 (3) and
7 29.621 (4) (intro.); and **to create** 29.001 (5), 29.001 (41s) and 29.014 (1s) of the
8 statutes; **relating to:** hunting with a high-powered air rifle or an airbow and
9 providing a criminal penalty.

Analysis by the Legislative Reference Bureau

Under this bill, a person may hunt an animal with a high-powered air rifle or an airbow in a season open to hunting that animal with a firearm. The bill defines “high-powered air rifle” as a weapon originally manufactured to expel a projectile at a speed of not less than 1,000 feet per second by the expansion of compressed air. The bill defines “airbow” as a weapon originally manufactured to fire an arrow by the expansion of compressed air.

Under current law, the Department of Natural Resources is authorized to establish open and closed seasons for the hunting of wild animals. DNR issues

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hunting licenses that authorize the hunting of specified animals and those licenses specify the type of weapon that may be used when hunting under those licenses.

Under the bill, if DNR establishes an open season for hunting an animal with a firearm, the season must also be open for hunting that animal with a high-powered air rifle or an airbow. The bill also provides that each license that currently authorizes the hunting of an animal with a firearm also authorizes the hunting of that animal with a high-powered air rifle or an airbow.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 29.001 (5) of the statutes is created to read:

2 29.001 (5) “Airbow” means a weapon originally manufactured to fire an arrow
3 by the expansion of compressed air, but does not include an airgun.

4 **SECTION 2.** 29.001 (41s) of the statutes is created to read:

5 29.001 (41s) “High-powered air rifle” means a weapon originally
6 manufactured to expel a projectile at a speed of not less than 1,000 feet per second
7 by the expansion of compressed air, but does not include an airgun.

8 **SECTION 3.** 29.014 (1s) of the statutes is created to read:

9 29.014 (1s) If the department establishes an open season for hunting an animal
10 with a firearm, the season shall also be open for hunting that animal with a
11 high-powered air rifle or an airbow.

12 **SECTION 4.** 29.091 (1) of the statutes is amended to read:

13 29.091 (1) No person may hunt or trap within any wildlife refuge established
14 under s. 23.09 (2) (b) or 29.621 (1), or, except as provided in sub. (2), have possession
15 or control of any gun, firearm, high-powered air rifle, airbow, bow, or crossbow unless
16 the gun or, firearm, high-powered air rifle, or airbow is unloaded, the bow or
17 crossbow is unstrung, and the gun, firearm, high-powered air rifle, airbow, bow, or
18 crossbow is enclosed within a carrying case. The taking of predatory game birds and

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1 animals shall be done as the department directs. All state wildlife refuge boundary
2 lines shall be marked by posts placed at intervals of not over 500 feet and bearing
3 signs with the words "Wisconsin Wildlife Refuge".

4 **SECTION 5.** 29.161 (2) of the statutes is amended to read:

5 29.161 (2) A resident small game hunting license authorizes hunting with a
6 firearm, airgun, high-powered air rifle, airbow, bow and arrow, or crossbow.

7 **SECTION 6.** 29.164 (2) (b) of the statutes is amended to read:

8 29.164 (2) (b) *Type of hunting authorized.* A license issued under this section
9 authorizes hunting with a firearm, high-powered air rifle, airbow, bow and arrow,
10 or crossbow.

11 **SECTION 7.** 29.173 (2) (a) of the statutes is amended to read:

12 29.173 (2) (a) A resident deer hunting license authorizes the hunting of deer
13 with a firearm, high-powered air rifle, airbow, bow and arrow, or crossbow.

14 **SECTION 8.** 29.182 (3) (a) of the statutes is amended to read:

15 29.182 (3) (a) A resident elk hunting license authorizes a resident of this state
16 to hunt elk with a firearm, high-powered air rifle, airbow, bow and arrow, or
17 crossbow.

18 **SECTION 9.** 29.182 (3) (b) of the statutes is amended to read:

19 29.182 (3) (b) A nonresident elk hunting license authorizes a nonresident of
20 this state to hunt elk with a firearm, high-powered air rifle, airbow, bow and arrow,
21 or crossbow.

22 **SECTION 10.** 29.184 (3) (c) of the statutes is amended to read:

23 29.184 (3) (c) *Type of hunting authorized.* A Class A bear license authorizes
24 hunting with a firearm, high-powered air rifle, airbow, bow and arrow, or crossbow.

25 **SECTION 11.** 29.185 (6) (a) 1. of the statutes is amended to read:

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1 29.185 (6) (a) 1. A firearm or a high-powered air rifle, as authorized under par.
2 (b), an airbow, a bow and arrow, or a crossbow.

3 **SECTION 12.** 29.185 (6) (b) of the statutes is amended to read:

4 29.185 (6) (b) *Firearms and ammunition.* A wolf harvesting license authorizes
5 hunting with a rifle, a muzzle-loading firearm, a handgun, a shotgun that fires slugs
6 or shotshells, a high-powered air rifle, and any other firearm that is loaded with a
7 single slug or ball. A wolf harvesting license authorizes hunting with shot that is
8 larger than size BB.

9 **SECTION 13.** 29.193 (2) (d) of the statutes is amended to read:

10 29.193 (2) (d) 1. A holder of a Class A or Class B permit may be accompanied
11 by a person who is not eligible to apply for a Class A or Class B permit. The
12 accompanying person may not hunt or carry a firearm, high-powered air rifle,
13 airbow, bow, or crossbow unless that person has been issued the appropriate
14 approval to do so. The assistance rendered by an accompanying person who has not
15 been issued the appropriate approval is limited to field dressing, tagging, and
16 retrieving game for the permit holder.

17 2. A holder of a Class C permit shall be accompanied by a person who is not
18 eligible to apply for a permit under this section. The accompanying person may not
19 hunt or carry a firearm, high-powered air rifle, airbow, bow, or crossbow unless the
20 person has been issued the appropriate approval to do so. The assistance rendered
21 by an accompanying person may include sighting the firearm, high-powered air
22 rifle, airbow, bow, or crossbow, identifying the game, and field dressing, tagging, and
23 retrieving game for the permit holder.

24 3. A holder of a Class D permit may use an adaptive device, as authorized by
25 the department by rule, to facilitate the use of a firearm and may be accompanied

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1 by a person who is not eligible to apply for a permit under this section. The
2 accompanying person may not hunt or carry a firearm, high-powered air rifle,
3 airbow, bow, or crossbow unless that person has been issued the appropriate
4 approval to do so. The assistance rendered by an accompanying person who has not
5 been issued the appropriate approval is limited to field dressing, tagging, and
6 retrieving game for the permit holder and any other assistance authorized by the
7 department by rule.

8 **SECTION 14.** 29.204 (2) of the statutes is amended to read:

9 29.204 (2) A nonresident annual small game hunting license authorizes
10 hunting with a firearm, high-powered air rifle, airgun, airbow, bow and arrow, or
11 crossbow.

12 **SECTION 15.** 29.207 (2) of the statutes is amended to read:

13 29.207 (2) A nonresident 5-day small game hunting license authorizes hunting
14 with a firearm, high-powered air rifle, airgun, airbow, bow and arrow, or crossbow.

15 **SECTION 16.** 29.211 (2) of the statutes is amended to read:

16 29.211 (2) AUTHORIZATION. A nonresident deer hunting license authorizes the
17 hunting of deer with a firearm, high-powered air rifle, airbow, bow and arrow, or
18 crossbow.

19 **SECTION 17.** 29.213 (2) of the statutes is amended to read:

20 29.213 (2) A nonresident fur-bearing animal hunting license authorizes
21 hunting with a firearm, high-powered air rifle, airgun, airbow, bow and arrow, or
22 crossbow.

23 **SECTION 18.** 29.304 (title) of the statutes is amended to read:

24 **29.304 (title) Restrictions on hunting and use of firearms,**
25 **high-powered air rifles, and airbows by persons under 16 years of age.**

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1 **SECTION 19.** 29.304 (1) (a) of the statutes is amended to read:

2 29.304 (1) (a) *Prohibition on hunting.* No person under 12 years of age may
3 hunt with a firearm, high-powered air rifle, airbow, bow and arrow, or crossbow.

4 **SECTION 20.** 29.304 (1) (b) of the statutes is amended to read:

5 29.304 (1) (b) *Restrictions on possession or control of a firearm, high-powered*
6 *air rifle, or airbow.* No person under 12 years of age may have in his or her possession
7 or control any firearm, high-powered air rifle, or airbow unless he or she is enrolled
8 in the course of instruction under the hunter education program and he or she is
9 carrying the firearm, high-powered air rifle, or airbow in a case and unloaded to or
10 from that class under the supervision of his or her parent or guardian, or by a person
11 at least 18 years of age who is designated by the parent or guardian, or is handling
12 or operating the firearm, high-powered air rifle, or airbow during that class under
13 the supervision of an instructor.

14 **SECTION 21.** 29.304 (2) (b) (intro.) of the statutes is amended to read:

15 29.304 (2) (b) *Restrictions on possession or control of a firearm, high-powered*
16 *air rifle, or airbow.* (intro.) No person 12 years of age or older but under 14 years of
17 age may have in his or her possession or control any firearm, high-powered air rifle,
18 or airbow unless he or she:

19 **SECTION 22.** 29.304 (2) (b) 2. of the statutes is amended to read:

20 29.304 (2) (b) 2. Is enrolled in the course of instruction under the hunter
21 education program and is carrying the firearm, high-powered air rifle, or airbow in
22 a case and unloaded to or from that class or is handling or operating the firearm,
23 high-powered air rifle, or airbow during that class under the supervision of an
24 instructor.

25 **SECTION 23.** 29.304 (3) (b) (intro.) of the statutes is amended to read:

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1 29.304 (3) (b) *Restrictions on possession or control of a firearm, high-powered*
2 *air rifle, or airbow.* (intro.) No person 14 years of age or older but under 16 years of
3 age may have in his or her possession or control any firearm, high-powered air rifle,
4 or airbow unless he or she:

5 **SECTION 24.** 29.304 (3) (b) 2. of the statutes is amended to read:

6 29.304 (3) (b) 2. Is enrolled in the course of instruction under the hunter
7 education program and is carrying the firearm, high-powered air rifle, or airbow in
8 a case and unloaded to or from that class or is handling or operating the firearm,
9 high-powered air rifle, or airbow during that class under the supervision of an
10 instructor; or

11 **SECTION 25.** 29.304 (5) (a) of the statutes is amended to read:

12 29.304 (5) (a) Notwithstanding subs. (1) to (3), a person 12 years of age or older
13 may possess or control a firearm and may hunt with a firearm, high-powered air
14 rifle, airbow, bow and arrow, or crossbow on land under the ownership of the person
15 or the person's family if no license is required and if the firing of firearms is permitted
16 on that land.

17 **SECTION 26.** 29.304 (5) (b) 2. of the statutes is amended to read:

18 29.304 (5) (b) 2. The restrictions on the possession and control of a firearm,
19 high-powered air rifle, or airbow under sub. (1) do not apply to a person using a
20 firearm, high-powered air rifle, or airbow in target practice if he or she is
21 accompanied by his or her parent or guardian or by a person at least 18 years of age
22 who is designated by the parent or guardian.

23 **SECTION 27.** 29.312 (2) of the statutes is amended to read:

24 29.312 (2) The department may not promulgate or enforce a rule that prohibits
25 a person from sighting a firearm, high-powered air rifle, or airbow on land owned

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1 or leased by that person or a member of that person's immediate family during the
2 24-hour period prior to the opening date for hunting deer with firearms in any area
3 where there is an open season for hunting deer with firearms.

4 **SECTION 28.** 29.314 (3) (a) of the statutes is amended to read:

5 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a
6 light for shining deer, elk, or bear while the person is hunting deer, elk, or bear or in
7 possession of a firearm, high-powered air rifle, airbow, bow and arrow, or crossbow.

8 **SECTION 29.** 29.314 (3) (b) 4. of the statutes is amended to read:

9 29.314 (3) (b) 4. To the holder of a Class C permit issued under s. 29.193 (2) (c)
10 4. who uses a laser sighting device while hunting with a firearm, high-powered air
11 rifle, airbow, bow and arrow, or crossbow.

12 **SECTION 30.** 29.314 (4) (a) of the statutes is amended to read:

13 29.314 (4) (a) *Prohibition.* No person may use or possess with intent to use a
14 light for shining wild animals while the person is hunting or in possession of a
15 firearm, high-powered air rifle, airbow, bow and arrow or crossbow.

16 **SECTION 31.** 29.324 (1) (b) of the statutes is amended to read:

17 29.324 (1) (b) "Group deer hunting party" means 2 or more hunters hunting in
18 a group all using firearms, high-powered air rifles, or airbows, each of whom holds
19 an individual license to hunt deer.

20 **SECTION 32.** 29.324 (1) (c) of the statutes is amended to read:

21 29.324 (1) (c) "Youth deer license" means a license that is issued by the
22 department to a person who is under the age of 18 and that authorizes the hunting
23 of deer with a firearm, high-powered air rifle, or airbow.

24 **SECTION 33.** 29.592 (1) (intro.) of the statutes is amended to read:

