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1 **(9) PROCESSING OF APPLICATION.** (a) Upon receiving an application submitted
2 under sub. (7), the department shall conduct a background check, as provided under
3 sub. (9g).

4 → (b) Subject to par. (c), within 21 days after receiving an application under sub.
5 (7), the department shall do one of the following:

6 1. Issue the license and promptly send the licensee his or her license document
7 by 1st class mail.

8 2. Deny the application, but only if the applicant fails to qualify under the
9 criteria specified in sub. (3). If the department denies the application, the
10 department shall inform the applicant in writing, stating the reason and factual
11 basis for the denial to the extent permitted under federal law.

12 (c) Except as provided in sub. (9r) or (10), the department may not issue a
13 license until 7 days, subject to extension under sub. (9g) (b) 3. c., have elapsed from
14 the creation of a confirmation number regarding the background check under sub.
15 (9g) (b) 1., unless the background check does not indicate that the applicant is
16 disqualified for a license under sub. (3) (c), (d), (e), (f), (g), (i), (im), (j), (k), (L), (m),
17 (n), (o), or (r).

18 **(9g) BACKGROUND CHECKS.** (b) The department shall conduct a background
19 check regarding an applicant for a license using the following procedure:

20 1. The department shall create a confirmation number associated with the
21 applicant.

22 2. The department shall use the transaction information for management of
23 enforcement system and the national crime information center system.

24 3. As soon as practicable, the department shall do the following:

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1 a. If the background check indicates that the applicant does not qualify for a
2 license under sub. (3) (c), (d), (e), (f), (g), (i), (im), (j), (k), (L), (m), (n), (o), or (r), create
3 a unique nonapproval number for the applicant.

4 b. If the completed background check does not indicate that the applicant is
5 disqualified for a license under sub. (3) (c), (d), (e), (f), (g), (i), (im), (j), (k), (L), (m),
6 (n), (o), or (r), create a unique approval number for the applicant.

7 c. If the background check indicates that the applicant was the subject of a
8 relevant criminal charge for which there is no recorded disposition or if, in the case
9 of a misdemeanor delinquency adjudication, the background check does not indicate
10 how long the resultant dispositional order was in effect, and the 7-day time period
11 described in sub. (9) (c) has not yet run, extend that time period by 72 hours and,
12 during the extended period, make all reasonable efforts to obtain the missing
13 information.

14 (c) The department shall conduct the background check under par. (b)
15 immediately if the background check is for an applicant for an emergency license
16 under sub. (9r). ✓

17 (d) The department shall maintain the record of all completed application
18 forms and a record of all confirmation numbers and corresponding approval or
19 nonapproval numbers regarding background checks under this subsection.

20 (e) 1. The department shall check each application form under par. (d) against
21 the information recorded by the department regarding the corresponding request for
22 a background check under this subsection. If the department previously provided
23 a unique approval number regarding the request and nothing in the completed
24 application form indicates that the applicant is not qualified for a license under sub.
25 (3) (c), (d), (e), (f), (g), (i), (im), (j), (k), (L), (m), (n), (o), or (r), the department shall,

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1 except as provided in subd. 2., destroy all records regarding that background check
2 within 30 days after receiving the form. If the department previously provided a
3 unique approval number regarding the request and the completed application form
4 indicates that the applicant is not qualified for a license under sub. (3) (c), (d), (e), (f),
5 (g), (i), (im), (j), (k), (L), (m), (n), (o), or (r), the department shall immediately revoke
6 the license.

7 2. The department may maintain records necessary to administer this
8 subsection and, for a period of not more than 3 years after the department issues a
9 unique approval number, a log of dates of requests for background checks under this
10 subsection together with confirmation numbers and unique approval and
11 nonapproval numbers corresponding to those dates.

12 (f) The department shall promulgate rules authorizing it to obtain records
13 necessary to determine an applicant's eligibility under sub. (3) (e), (g) 1., (i), (im), and
14 (j) for a license issued under this section.

15 **(9r) EMERGENCY LICENSE.** (a) Unless the department knows that the person is
16 not qualified for a license under sub. (3) (a) to (g) or (i) to (s), the department may
17 issue a license under this section to an individual who does not satisfy the
18 requirements under sub. (3) (h) without regard for the waiting period under sub. (9)

19 ~~(d) if the department determines that immediate licensure is warranted to protect~~
20 the individual from death or great bodily harm, as defined in s. 939.22 (14). If the
21 department issues a license under this paragraph it shall conduct an immediate
22 background check under sub. (9g).

23 (b) 1. Except as provided in subd. 2. and par. (d), a license issued under par. (a)
24 is valid for 120 days from the date on which it is issued and may not be renewed.

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1 2. If the department learns that an individual to whom the department has
2 issued a license under par. (a) does not qualify for a license under sub. (3) (c), (d), (e),
3 (f), (g), (i), (im), (j), (k), (L), (m), (n), (o), or (r), the department shall revoke the license.

4 (c) ^{The} A department may waive the fees that would otherwise be required under
5 sub. (7) (bd), (bh), and (bp) for an individual who is applying for a license under par.
6 (a) if requiring the individual to pay the fees would create a hardship for the
7 individual. The department shall promulgate rules specifying the procedures and
8 definitions to apply when determining whether an individual is eligible for a waiver
9 of the fees for an emergency license under this section as provided under this
10 paragraph.

11 (d) A person who has been issued a license under par. (a) may obtain a license
12 under sub. (2) if he or she meets the qualifications specified under sub. (3) and
13 completes the application process specified in sub. (7). A license issued to a person
14 under par. (a) is void if the person is issued a license under sub. (2).

15 **(10) EXEMPTION FROM BACKGROUND CHECK.** Notwithstanding subs. (9) (a) and
16 (15) (c), the department shall issue or renew a license under this section to any of the
17 following individuals without waiting 7 days or requesting a background check: ✓

18 (a) A law enforcement officer.

19 (b) A correctional officer.

20 (c) A probation, parole, and extended supervision agent.

21 (d) A person who holds a current certification from the law enforcement
22 standards board under s. 165.85 (3) (c). ✓

23 **(11) LICENSEE INFORMATION.** (a) The department shall maintain a computerized
24 record listing the names and the information specified in sub. (2m) (b) of all ✓
25 individuals who have been issued a license under this section. After entering all of

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1 the information, the department may not store, maintain, format, sort, or access the
2 information in any way other than by the name of the licensee or the identification
3 number assigned to the licensee under sub. (2m) (b) 6.

4 (c) 1. The department shall provide information concerning a specific licensee
5 to a law enforcement agency, but only if the law enforcement agency is requesting the
6 information for any of the following purposes:

7 a. To confirm that a license produced by an individual at the request of a law
8 enforcement officer is valid.

9 b. To confirm that the individual holds a valid license under this section, if the
10 individual is going armed with a concealed weapon but is not carrying his or her
11 license document and claims to hold a valid license issued under this section.

12 c. To investigate whether an individual ^{submitted an} intentionally ^{notarized} ~~falsely~~ swore under sub.
13 (6) or (15) (b) 2., intentionally violated sub. (12) (a), or intentionally made a false
14 statement to the department in connection with the individual's request for an
15 emergency license under sub. (9r). ✓

16 2. If the department maintains information compiled under this section
17 regarding licensees through the transaction information for the management of
18 enforcement system and a law enforcement officer uses that system in the context
19 of a vehicle stop that meets the requirements of s. 349.02 (2) (a), the law enforcement
20 officer may obtain information from that system regarding the licensee's status as
21 a licensee only for the purposes listed in subd. 1.

22 (d) 1. In this paragraph:

23 a. "Clerk" means the clerk of the circuit court or, if it has enacted a law or an
24 ordinance in conformity with s. 346.63, the clerk of the court for a federally
25 recognized American Indian tribe or band in this state, a city, a village, or a town.

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1 b. “Court automated information systems” means the systems under s. 758.19
2 (4).

3 2. The court automated information systems, or the clerk or register in probate,
4 if the information is not contained in or cannot be transmitted by the court
5 automated information systems, shall promptly notify the department of the name
6 of any individual with respect to whom any of the following occurs and the specific
7 reason for the notification:

8 a. The individual is charged with a felony, a misdemeanor crime of violence, a
9 violation of ch. 961, the solicitation, conspiracy, or attempt to commit any violation
10 of ch. 961, a violation of s. 941.20 (1) (b), a violation of sub. (17) (c), (d), or (e), or any
11 other crime that, upon conviction, would disqualify the individual from having a
12 license under this section.

13 b. The individual is charged with a drunk driving offense.

14 c. The individual is found by a court to have committed any offense described
15 in subd. 2. a. or b.

16 d. Prosecution of a felony or a misdemeanor crime of violence for which the
17 individual is charged is suspended under a deferred prosecution agreement.

18 e. The individual is found incompetent under s. 971.14.

19 f. The individual is found not guilty of any crime by reason of mental disease
20 or mental defect under s. 971.17.

21 g. The individual is involuntarily committed for treatment under s. 51.20 or
22 51.45.

23 h. The individual is found incompetent under ch. 880.

24 i. The individual becomes subject to an injunction described in s. 941.29 (1) (f)
25 or is ordered not to possess a firearm under s. 813.125 (4m).

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1 j. A court has prohibited the individual from possessing a dangerous weapon
2 under s. 969.02 (3) (c).

3 3. Upon receiving a notice under subd. 2., the department shall immediately
4 determine if the individual who is the subject of the notice is a licensee, using the list
5 maintained under par. (am). ~~(am)~~ ^{e a}

6 (12) UPDATED INFORMATION. (a) Within 10 days after being charged under
7 federal law or the law of another state with any crime or any drunk driving offense,
8 a licensee shall notify the department of the charge.

9 (b) No later than 30 days after changing his or her address, a licensee shall
10 inform the department of his or her new address. The department shall include the
11 individual's new address in the list under sub. (11) (a).

12 (13) LOST OR DESTROYED LICENSE. No later than 30 days after losing his or her
13 license document or after his or her license document is destroyed, a licensee shall
14 submit to the department a notarized statement that his or her license document has
15 been lost or destroyed. The department shall issue a replacement license document
16 ^{within 14 days of} upon receiving the notarized statement and a replacement license fee of \$15.

17 (14) LICENSE REVOCATION AND SUSPENSION. (a) The department shall revoke a
18 license that his or her county issued under this section if the licensee no longer meets
19 all of the criteria specified in sub. (3) (b) to (g), (i) to (n), ~~(p) to (s)~~ ^{and}

20 (am) 1. If any of the following occurs with respect to a licensee, the department
21 shall suspend the licensee's license:

22 a. The licensee is the subject of a pending civil or criminal case, the disposition
23 of which could require revocation of his or her license under par. (a).

24 b. A court has prohibited the licensee from possessing a dangerous weapon
25 under s. 969.02 (3) (c).

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1 2. If the department suspends a license under subd. 1., it shall restore the
 2 license if, upon disposition of the case, the person to whom the license was issued
 3 meets all of the criteria specified in sub. (3). *the department shall restore the*
 4 *license within 14 days of receiving*
 5 *the disposition*

4 (b) 1. If the department revokes or suspends a license under this section, the
 5 revocation or suspension shall take effect immediately.

6 2. If the department suspends or revokes a license issued under this section,
 7 it shall send the individual whose license has been suspended or revoked notice of
 8 the suspension or revocation by certified mail within one day after the suspension
 9 or revocation. Within 7 days after receiving the notice, the individual whose license
 10 has been suspended or revoked shall deliver the license document personally or by
 11 certified mail to the department.

12 **(14m) APPEALS.** (a) A person aggrieved by any action by the department
 13 denying an application for a license, or suspending or revoking a license under this
 14 section *or denying certification as an instructor under sub. (3m) (b)* may appeal directly to the circuit court of his or her county.

15 (b) To begin an appeal under this subsection, the aggrieved person shall file a
 16 petition for review with the clerk of the applicable circuit court within 30 days after
 17 the date of the department's action or, if applicable, within 30 days after the date of
 18 the notice provided to the person under sub. (9) (b) 2. The petition shall state the
 19 substance of the department's action that the person is appealing from and the
 20 grounds upon which the person believes the department's action to be improper. The
 21 petition may include a copy of any records or documents that are relevant to the
 22 grounds upon which the person believes the department's action to be improper.

23 (c) A copy of the petition shall be served upon the department either personally
 24 or by registered or certified mail within 5 days after the person files his or her petition
 25 under par. (b).

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1 (d) The department shall file an answer within 15 days after being served with
2 the petition under par. (c). The answer shall include a brief statement of the actions
3 taken by the department, and a copy of any documents or records on which the
4 department based its action shall be included with the answer when filed.

5 (e) The court shall review the petition, the answer, and any records or
6 documents submitted with the petition or the answer. The review under this
7 paragraph shall be conducted by the court without a jury and shall be confined to the
8 petition, the answer, and any records or documents submitted with the petition or
9 the answer, except that in cases of alleged irregularities in procedure by the
10 department the court may take testimony that the court determines is appropriate.

11 (f) The court shall affirm the department's action unless the court finds any of
12 the following:

13 1. That the department failed to follow procedure prescribed under this section.

14 2. That the department erroneously interpreted a provision of law and a correct
15 interpretation compels a different action.

16 3. That the department's action depends on a finding of fact that is not
17 supported by substantial evidence in the record.

18 (g) The court's decision shall provide whatever relief is appropriate regardless
19 of the original form of the petition.

20 (15) LICENSE EXPIRATION AND RENEWAL. (a) Except as provided in sub. (9r) (b)

21 1., a license issued under this section is valid for a period of 5 years from the date on
22 which the license is issued unless the license is suspended or revoked under sub. (9g)
23 (e) 1. or (14).

24 (b) The department shall design a notice of expiration form. At least 90 days
25 before the expiration date of a license issued under this section, the department shall

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par. (e) and

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1 mail to the licensee a notice of expiration form and a form for renewing the license.
2 The department shall renew the license if, before the date the license expires, the
3 licensee does all of the following:

4 1. Submits a renewal application on the form provided by the department.

5 2. Submits a notarized affidavit swearing under oath that the information *Statement reporting*
6 provided under subd. 1. is true and complete to the best of his or her knowledge and
7 that he or she is qualified under sub. (3).

8 4. Pays all of the following:

9 a. A \$~~52~~²⁷ renewal fee.

10 b. A fee for a background check of \$8.

11 c. A shooting range improvement fee of \$15 written as a separate check, made
12 out to the applicant's county of residence, that the department shall immediately
13 forward to that county. *on at least a quarterly basis*

14 (c) The department shall conduct a background check of a licensee as provided
15 under sub. (9g) before renewing the licensee's license under par. (b).

16 (d) If an individual whose license has expired does not submit a renewal
17 application under par. (b) before 6 months after the expiration date, the license shall
18 permanently expire. An individual whose license has permanently expired may be
19 issued a new license if he or she applies for a license under sub. (7).

20 **(15m) PRIVATE EMPLOYER RESTRICTIONS.** (a) Except as provided in par. (b), a
21 private employer may prohibit a licensee or an out-of-state licensee that it employs
22 from carrying a concealed weapon or a particular type of concealed weapon in the
23 course of the licensee's or out-of-state licensee's employment or during any part of
24 the licensee's or out-of-state licensee's course of employment.

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1 (b) A private employer may not prohibit a licensee or an out-of-state licensee,
2 as a condition of employment, from carrying a concealed weapon or a particular type
3 of concealed weapon in the licensee's or out-of-state licensee's own motor vehicle,
4 regardless of whether the motor vehicle is used in the course of employment.

5 **(16) PROHIBITED ACTIVITY.** (a) Neither a licensee nor an out-of-state licensee
6 may knowingly carry a concealed weapon in any of the following places:

7 1. A place that has been declared a nuisance under ch. 823.

8 2. A police station, sheriff's office, or state patrol station. This subdivision does
9 not prohibit a peace officer who is acting within the scope of his or her employment
10 from carrying a concealed weapon in a police station, sheriff's office, or state patrol
11 station.

12 3. A prison, jail, house of correction, or secured correctional facility.

13 4. A courthouse, except that a judge who is a licensee may carry a concealed
14 weapon in a courthouse in which he or she is presiding in court and may permit in
15 writing any other licensee or out-of-state licensee to carry a concealed weapon in a
16 courthouse in which he or she is presiding in court.

17 5. A place at which a school, college, or professional athletic event is taking
18 place, unless the event is related to firearms and the licensee or out-of-state licensee
19 is a participant in the event.

20 6. A school administration building.

21 7. Any premises for which a Class "B" or "Class B" license or permit has been
22 issued under ch. 125, unless one of the following applies:

23 a. The licensee or the out-of-state licensee is a person described in s. 941.237

24 (3) (a), (b), (c), (cm), or (d).

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In or beyond a security checkpoint in

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1 b. If the licensee or the out-of-state licensee is carrying a handgun, his or her
2 possession of the handgun is described in s. 941.237 (3) (e), (f), (g), (h), (i), or (j).

3 8. ~~An~~ airport, unless the weapon is encased for shipment as baggage to be
4 transported by aircraft.

5 9. A place in which carrying the weapon is prohibited by federal law.

6 10. A kindergarten facility or classroom.

7 (at) Neither a licensee nor an out-of-state licensee may carry a concealed
8 weapon in a building owned or leased by the state or any political subdivision of the
9 state if the building provides electronic screening for weapons at all public entrances
10 to the building and for the locked storage of weapons on the premises while the
11 licensee or out-of-state licensee is in the building. This paragraph does not apply
12 to:

13 1. Peace officers or armed forces or military personnel who go armed in the line
14 of duty.

15 2. A person authorized to carry a weapon in the building by the chief of police
16 of the city, village, or town or the sheriff of the county in which the building is located.

17 3. A person authorized to carry a weapon in the building by the chief of the
18 capitol police, if the building is owned or leased by the state.

19 (b) Neither a licensee nor an out-of-state licensee may knowingly carry a
20 handgun in a school zone, as defined in s. 948.605 (1) (c), unless he or she is not in
21 or on the grounds of a school, as defined in s. 948.61 (1) (b), and one of the following
22 applies:

23 1. The individual is in a motor vehicle or on a snowmobile or bicycle.

24 2. The individual has exited a motor vehicle and is encasing the handgun or
25 storing it in the motor vehicle.

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1 3. The individual is traveling directly to any person's private property from his
2 or her place of employment or business, from any person's private property, or from
3 a place outside of the school zone.

4 4. The individual is traveling directly to his or her place of employment or
5 business from another place of his or her employment or business, from any person's
6 private property, or from a place outside of the school zone.

7 5. The individual is traveling directly to a place outside of the school zone from
8 another place outside of the school zone, from any individual's private property, or
9 from his or her place of employment or business.

10 6. The individual's possession of the handgun is described in s. 948.605 (2) (b).

11 (c) Neither a licensee nor an out-of-state licensee may ^{knowingly} carry a weapon other
12 than a handgun on school premises, as defined in s. 948.61 (1) (c), unless he or she
13 is a person described in or a person whose conduct is described in s. 948.61 (3).

14 (cm) ① A person may not carry a concealed weapon if any of the following

15 *applies: his or her*

16 ~~a. The person's alcohol concentration exceeds 0.08.~~

17 ~~b. The person is under the influence of an intoxicant to a degree which~~
18 ~~materially impairs his or her ability to handle the weapon.~~

19 ~~(2) A person may be charged with and a prosecutor may proceed upon a~~
20 ~~complaint based upon a violation of subd. 1. a. or b. or both for acts arising out of the~~
21 ~~same incident or occurrence. If the person is charged with violating both subd. 1. a.~~
22 ~~and b., the offenses shall be joined. Subdivision 1. a. and b. each requires proof of a~~
23 ~~fact for conviction which the other does not require.~~

24 (d) This subsection does not apply to a peace officer, as defined in s. 939.22 (22).

Paragraphs (a), (at), (b), and (c)

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1 (17) PENALTIES. (a) Any person who violates sub. (2g) (b) or (c) may be required
2 to forfeit not more than \$25.

(a), (at), (b), or (c)

3 (b) Any person who violates sub. ~~(2k) (e)~~ or (16) may be fined not more than
4 \$1,000 or imprisoned for not more than 90 days or both.

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5 (c) Any person who intentionally false swears under sub. (6) or (15) (b) 2. or
6 who intentionally makes a false statement to the department in requesting or in
7 connection with the issuance of an emergency license under sub. (9r) shall be fined
8 not less than \$500 nor more than \$10,000 and may be imprisoned for not more than
9 9 months.

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10 (d) Any person who intentionally violates sub. (12) (a) shall be fined not less
11 than \$500 nor more than \$10,000 and may be imprisoned for not more than 9 months.

12 (e) Any person required under sub. (14) (b) 2. to relinquish or deliver a license
13 document to the department who intentionally violates the requirements of that
14 subdivision shall be fined not less than \$500 nor more than \$10,000 and may be
15 imprisoned for not more than 9 months.

16 (18) ACCESS TO RECORDS. Records created or kept under this section by the
17 department, other than reports created under sub. (19), are not subject to access
18 under s. 19.35.

19 (19) STATISTICAL REPORT. (a) By February 1 of each year, the department shall
20 create a statistical report indicating the number of licenses applied for, issued,
21 denied, suspended, and revoked under this section during the previous calendar
22 year. For the licenses denied, the report shall indicate the reasons for the denials and
23 the part of the application process during which the reasons for denial were
24 discovered. For the licenses suspended or revoked, the report shall indicate the
25 reasons for the suspensions and revocations.

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1 (b) By March 1 of each year, the department shall submit a statistical report
2 to the legislature under s. 13.172 (2) and to the governor that is compiled from the
3 reports submitted under par. (a) and that indicates the number of licenses applied
4 for, issued, denied, suspended, and revoked under this section during the previous
5 calendar year. For the licenses denied, the report shall indicate the reasons for the
6 denials and the part of the application process in which the reasons for denial were
7 discovered. For the licenses suspended or revoked, the report shall indicate the
8 reasons for the suspensions and revocations.

9 (20m) GRANTS FOR SHOOTING RANGES. (a) Using the fees collected under subs.
10 (7) (bp) and (15) (b) 4. c., a ~~recipient~~ ^{county} sheriff shall award grants to persons for
11 construction or improvement of shooting ranges.

12 (b) A grant awarded under this subsection may be for up to 50 percent of the
13 cost of the construction or improvement of the shooting range. A grant awarded
14 under this subsection may not be used to pay for any of the following:

15 1. The construction of clubhouses and facilities that are not essential to the
16 operation of the shooting range.

17 2. The operation and maintenance of the shooting range.

18 (c) In order to receive a grant under this subsection, the person creating or
19 improving a shooting range shall agree to provide for a fee of not more than \$20, a
20 firearm safety course or class that ^{meets the requirements under sub. (3m)(a)} will qualify an individual to satisfy the
21 ~~requirements under sub. (3) (h) for a license to carry a concealed weapon.~~

22 (d) In determining whether to make a grant under this subsection to a
23 particular applicant, the ~~sheriff~~ ^{county} shall consider the potential of the project to meet the
24 needs of firearm safety courses or classes that meet the requirements under sub.

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(4m) in the area served by the shooting range relative to the proposed cost of the construction or improvement.

(21) IMMUNITY. (a) The department and its employees, sheriffs and their employees, clerks, as defined in sub. (11) (d) 1. a., and their staff, court automated information systems, as defined under sub. (11) (d) 1. b., and its ^{their} employees, and counties and their employees are immune from liability arising from any act or omission under this section, if done in good faith.

(b) A person providing a firearm safety or firearm training course or class in good faith is immune from liability arising from any act or omission related to the course or class if the course or class is one described in sub. (3) (h).

(c) A business or a nonprofit organization ^{or person} that permits a person ^{an individual} to carry a concealed weapon on property that it ^{the person} owns or occupies is immune from any liability arising from its decision to do so, if done in good faith.

(d) An employer that permits any of its employees to carry a concealed weapon under sub. (15m) is immune from any liability arising from its decision to do so, if done in good faith.

SECTION 21. 440.26 (3m) ^(d) of the statutes is ^{revised} amended to read:

~~440.26 (3m) **RULES CONCERNING DANGEROUS WEAPONS.** The department shall promulgate rules relating to the carrying of dangerous weapons by a person who holds a license or permit issued under this section or who is employed by a person licensed under this section. The rules shall allow the person to go armed with a concealed weapon as permitted under s. 175.50 if the person is licensed under that section and shall meet the minimum requirements specified in 15 USC 5902 (b).~~

SECTION 22. 813.12 (6) (am) 1. of the statutes is amended to read:

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1 813.12 (6) (am) 1. If an injunction is issued or extended under sub. (4) or if a
2 tribal injunction is filed under s. 806.247 (3), the clerk of the circuit court shall notify
3 the department of justice of the injunction and shall provide the department of
4 justice with information concerning the period during which the injunction is in
5 effect and information necessary to identify the respondent for purposes of a firearms
6 restrictions record search under s. 175.35 (2g) (c) or a background check under s.
7 175.50 (9g) (b).

8 **SECTION 23.** 813.122 (9) (am) 1. of the statutes is amended to read:

9 813.122 (9) (am) 1. If an injunction is issued or extended under sub. (5), the
10 clerk of the circuit court shall notify the department of justice of the injunction and
11 shall provide the department of justice with information concerning the period
12 during which the injunction is in effect and information necessary to identify the
13 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
14 (c) or a background check under s. 175.50 (9g) (b).

15 **SECTION 24.** 813.125 (5r) (a) of the statutes is amended to read:

16 813.125 (5r) (a) If an order prohibiting a respondent from possessing a firearm
17 is issued under sub. (4m), the clerk of the circuit court shall notify the department
18 of justice of the existence of the order prohibiting a respondent from possessing a
19 firearm and shall provide the department of justice with information concerning the
20 period during which the order is in effect and information necessary to identify the
21 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
22 (c) or a background check under s. 175.50 (9g) (b).

23 **SECTION 25.** 885.235 (1g) (intro.) of the statutes is amended to read:

24 885.235 (1g) (intro.) In any action or proceeding in which it is material to prove
25 that a person was under the influence of an intoxicant or had a prohibited alcohol

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1 concentration or a specified alcohol concentration while operating or driving a motor
2 vehicle or, if the vehicle is a commercial motor vehicle, on duty time, while operating
3 a motorboat, except a sailboat operating under sail alone, while operating a
4 snowmobile, while operating an all-terrain vehicle, while going armed with a
5 concealed weapon, or while handling a firearm, evidence of the amount of alcohol in
6 the person's blood at the time in question, as shown by chemical analysis of a sample
7 of the person's blood or urine or evidence of the amount of alcohol in the person's
8 breath, is admissible on the issue of whether he or she was under the influence of an
9 intoxicant or had a prohibited alcohol concentration or a specified alcohol
10 concentration if the sample was taken within 3 hours after the event to be proved.
11 The chemical analysis shall be given effect as follows without requiring any expert
12 testimony as to its effect:

13 **SECTION 26.** 885.235 (1g) (e) of the statutes is created to read:

14 885.235 (1g) (e) In a case brought under s. 175.50 (16) (cm) 1. a. or b., the fact
15 that the analysis shows that the person had an alcohol concentration of more than
16 0.0 but less than 0.08 is relevant evidence on the issue of whether the person ~~was~~
17 ~~intoxicated~~ or had an alcohol concentration of 0.08 or more but is not to be given any
18 prima facie effect. In a case brought under s. 175.50 (16) (cm) 1. a., the fact that the
19 analysis shows that the person had an alcohol concentration of 0.08 or more is prima
20 facie evidence that he or she had an alcohol concentration of 0.08 or more.

21 **SECTION 27.** 938.396 (8m) of the statutes is created to read:

22 938.396 (8m) (a) Notwithstanding sub. (2), if a juvenile is adjudged delinquent
23 for an act that would be a misdemeanor crime of violence, as defined in s. 175.50 (1)
24 (e), if committed by an adult, the court clerk shall notify the department of justice
25 of that fact. Except as provided in par. (b), no other information from the juvenile's

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1 court records may be disclosed to the department of justice except by order of the
2 court.

3 (b) If an applicant for a license to carry a concealed weapon under s. 175.50 was
4 adjudicated delinquent as a juvenile in a case covered by par. (a), the department of
5 justice may request permission to review court records relating to the case for the
6 purpose of determining whether the applicant meets the requirement under s.
7 175.50 (3) (m). Upon receiving such a request, the court shall open for inspection by
8 authorized representatives of the department of justice the records of the court
9 relating to that case.

10 **SECTION 28.** 941.20 (1) (a) of the statutes is amended to read:

11 941.20 (1) (a) Endangers another's safety by the negligent operation or
12 handling of a dangerous weapon; ~~or.~~

13 **SECTION 29.** 941.20 (1) (b) of the statutes is amended to read:

14 941.20 (1) (b) Operates ~~or goes armed with a firearm~~ while he or she is under
15 the influence of an intoxicant; ~~or.~~

16 **SECTION 30.** 941.20 (1) (bm) of the statutes is created to read:

17 941.20 (1) (bm) Goes armed with a firearm while he or she is under the
18 influence of an intoxicant. This paragraph does not apply to a licensee, as defined
19 in s. 175.50 (1) (d), or an out-of-state licensee, as defined in s. 175.50 (1) (g), who goes
20 armed with a concealed handgun, as defined in s. 175.50 (1) (bm), while he or she is
21 under the influence of an intoxicant or while he or she has an alcohol concentration,
22 as defined in s. 340.01 (1v), that exceeds 0.08.

23 **SECTION 31.** 941.23 of the statutes is renumbered 941.23 (1) (intro.) and

24 amended to read:

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1 941.23 (1) (intro.) Any person ~~except a peace officer, other than one of the~~
2 following, who goes armed with a concealed and dangerous weapon is guilty of a
3 Class A misdemeanor.;

4 **SECTION 32.** 941.23 (1) (a) of the statutes is created to read:

5 941.23 (1) (a) A peace officer.

6 **SECTION 33.** 941.23 (1) (b) of the statutes is created to read:

7 941.23 (1) (b) ~~An individual holding a valid license under~~ s. 175.50 ^{as defined in} or
8 ~~authorized under the law of another state to go armed with a concealed weapon in~~
9 ~~that state, if the dangerous weapon is a weapon, as defined under s. 175.50 (1) (j).~~ ^{(1)(d)}

10 **SECTION 34.** 941.23 (1) (c) of the statutes is created to read:

11 941.23 (1) (c) An individual who goes armed with a concealed and dangerous
12 weapon, as defined in s. 175.50 (1) (j), in his or her own dwelling or place of business
13 or on land that he or she owns, leases, or legally occupies, unless he or she is
14 prohibited under federal or state law from possessing that weapon.

15 **SECTION 35.** 941.23 (2) of the statutes is created to read:

16 ~~941.23 (2)~~ An individual formerly licensed under s. 175.50 whose license has
17 been suspended or revoked under s. 175.50 (14) may not assert his or her refusal to
18 accept or failure to receive a notice of revocation or suspension mailed under s. 175.50
19 (14) (b) 2. as a defense to prosecution under sub. (1), regardless of whether the person
20 has complied with s. 175.50 (12). ^{no 9}
^{le this subsection}

21 **SECTION 36.** 941.235 (2) of the statutes is renumbered 941.235 (2) (intro.) and
22 amended to read:

23 941.235 (2) (intro.) This section does not apply to ~~peace~~ any of the following:

24 (a) Peace officers or armed forces or military personnel who go armed in the line
25 of duty or to any.

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1 (b) A person duly authorized by the chief of police of any city, village or town,
2 the chief of the capitol police or the sheriff of any county to possess a firearm in any
3 building under sub. (1).

INS 48/5e

4 SECTION 37. 941.235 (2) ^{re}(e) of the statutes is created to read:

5 941.235 (2) (e) An individual holding a valid license under s. 175.50 or
6 authorized under the law of another state to go armed with a concealed weapon, as
7 defined in s. 175.50 (1) (j), if the firearm is a handgun, as defined in s. 175.50 (1) (bm).

INS 48/7

8 SECTION 38. 941.237 (3) ^{cx}(ct) of the statutes is created to read:

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9 941.237 (3) ^{cx}(ct) An individual holding a valid license under s. 175.50 or
10 authorized under the law of another state to go armed with a concealed weapon in
11 that state.

INS 48/11

12 SECTION 39. 941.295 (2) (d) of the statutes is amended to read:

13 941.295 (2) (d) Any manufacturer or seller whose of electric weapons are used
14 in this state solely by persons, unless the manufacturer or seller engages in the
15 conduct described in sub. (1) with the intent to provide an electric weapon to someone
16 other than a person specified in pars. (a) to (c) or sub. (2g) (a) or to a person for use
17 in his or her dwelling or place of business or on land that he or she owns, leases, or
18 legally occupies.

19 SECTION 40. 941.295 (2g) of the statutes is created to read:

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20 941.295 (2g) The prohibition in sub. (1) on possessing or going armed with an
21 electric weapon does not apply to any of the following:

22 (a) An individual holding a valid license under s. 175.50 or authorized under
23 the law of another state to go armed with a concealed weapon in that state.

24 (b) An individual who goes armed with an electric weapon in his or her own
25 dwelling or place of business or on land that he or she owns, leases, or legally

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1 occupies, unless he or she is prohibited under federal or state law from possessing
2 that weapon.

3 **SECTION 41.** 941.295 (2r) of the statutes is created to read:

4 941.295 (2r) The prohibition in sub. (1) on transporting an electric weapon does
5 not apply to any of the following: NS 49/62

6 (a) An individual holding a valid license under s. 175.50 or authorized under
7 the law of another state to go armed with a concealed weapon in that state.

8 (b) An individual who transports an electric weapon from any of the following
9 places to any of the following places:

- 10 1. His or her dwelling.
- 11 2. His or her own place of business.
- 12 3. Land that he or she owns, leases, or legally occupies.

13 **SECTION 42.** 943.13 (1e) (bm) of the statutes is created to read:

14 943.13 (1e) (bm) "Licensee" means a licensee, as defined in s. 175.50 (1) (d), or
15 an out-of-state licensee, as defined in s. 175.50 (1) (g).

16 **SECTION 43.** 943.13 (1e) (g) of the statutes is created to read:

17 943.13 (1e) (g) "Weapon" has the meaning given in s. 175.50 (1) (j).

18 **SECTION 44.** 943.13 (1m) (b) of the statutes is amended to read:

19 943.13 (1m) (b) Enters or remains on any land of another after having been
20 notified by the owner or occupant not to enter or remain on the premises. This
21 paragraph does not apply to a licensee if the owner's or occupant's intent is to prevent
22 the licensee from going armed with a concealed weapon on the owner's or occupant's
23 land.

24 **SECTION 45.** 943.13 (1m) (c) of the statutes is created to read:

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1 943.13 (1m) (c) 1. While going armed with a concealed weapon, enters or
2 remains at a residence that the person does not own or occupy after the owner of the
3 residence, if he or she has not leased it to another person, or the occupant of the
4 residence has notified the actor not to enter or remain at the residence while going
5 armed with a concealed weapon or with that type of concealed weapon. In this
6 subdivision, “residence,” with respect to a single-family residence, includes all of the
7 premises, and “residence,” with respect to a residence that is not a single-family
8 residence, does not include any common area of the building in which the residence
9 is located.

10 2. While going armed with a concealed weapon, enters or remains in any part
11 of a nonresidential building that the person does not own or occupy after the owner
12 of the building, if he or she has not leased it to another person, or the occupant of the
13 building has notified the actor not to enter or remain in the building while going
14 armed with a concealed weapon or with that type of concealed weapon. This
15 subdivision does not apply to a part of a building occupied by the state or one of its
16 political subdivisions or to any part of a building used for parking.

17 **SECTION 46.** 943.13 (2) of the statutes is renumbered 943.13 (2) (am), and
18 943.13 (2) (am) (intro.) and 1., as renumbered, are amended to read:

19 943.13 (2) (am) (intro.) A person has received notice from the owner or occupant
20 within the meaning of sub. (1m) (b), (e) or (f) if he or she has been notified personally,
21 either orally or in writing, or if the land is posted. Land is considered to be posted
22 under this ~~subsection~~ paragraph under either of the following procedures:

23 1. If a sign at least 11 inches square is placed in at least 2 conspicuous places
24 for every 40 acres to be protected. The sign must carry an appropriate notice and the
25 name of the person giving the notice followed by the word “owner” if the person giving

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1 the notice is the holder of legal title to the land and by the word “occupant” if the
2 person giving the notice is not the holder of legal title but is a lawful occupant of the
3 land. Proof that appropriate signs as provided in this paragraph subdivision were
4 erected or in existence upon the premises to be protected prior to the event
5 complained of shall be prima facie proof that the premises to be protected were posted
6 as provided in this paragraph subdivision.

7 **SECTION 47.** 943.13 (2) (bm) of the statutes is created to read:

8 943.13 (2) (bm) 1. In this paragraph, “sign” means a sign that states a
9 restriction imposed under subd. 2. that is at least 11 inches square.

10 2. For the purposes of sub. (1m) (c) 2., an owner or occupant of a part of a
11 nonresidential building has notified an individual not to enter or remain in that part
12 of the nonresidential building while going armed with a concealed weapon or with
13 a particular type of concealed weapon if the owner or occupant has done all of the
14 following:

15 a. Posted a sign that is located in a prominent place near the primary entrance
16 to the part of the nonresidential building to which the restriction applies.

17 b. Personally and orally notified the individual of the restriction.

18 **SECTION 48.** 943.13 (3) of the statutes is amended to read:

19 943.13 (3) Whoever erects on the land of another signs which are the same as
20 or similar to those described in sub. (2) (am) without obtaining the express consent
21 of the lawful occupant of or holder of legal title to such land is subject to a Class C
22 forfeiture.

23 **SECTION 49.** 946.32 (3) of the statutes is created to read:

24 946.32 (3) This section does not apply to offenses that may be prosecuted under
25 s. 175.50 (17) (c). ✓

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SECTION 50

any of the following:
A NS 52/2A and 52/2Bc

1 **SECTION 50.** 948.605 (2) (c) of the statutes is created to read:
2 948.605 (2) (c) Paragraph (a) does not apply to the possession of a handgun, as
3 defined in s. 175.50 (1) (bm) ~~by an individual holding a valid license under s. 175.50~~
4 ~~or authorized under the law of another state to go armed with a concealed handgun~~
5 ~~who is going armed with a concealed handgun as permitted under s. 175.50.~~

6 **SECTION 51.** 948.61 (3m) of the statutes is created to read:
7 948.61 (3m) This section does not apply to the possession of a weapon, as
8 defined in s. 175.50 (1) (j), other than a handgun, as defined in s. 175.50 (1) (bm), by
9 an individual holding a valid license under s. 175.50 or authorized under the law of
10 another state to go armed with a concealed weapon ~~who is going armed with a~~
11 ~~concealed weapon as permitted under s. 175.50.~~

NS 52/9e

SECTION 52. Nonstatutory provisions.

13 (1) Using the procedure under section 227.24 of the statutes, the department
14 of justice shall promulgate rules required under section 175.35 (2g) (c) 3. of the
15 statutes and under section 175.50 (9g) (f) of the statutes, as created by this act, for
16 the period before the effective date of the permanent rules promulgated under those
17 sections, but not to exceed the period authorized under section 227.24 (1) (c) and (2)
18 of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes,
19 the department is not required to provide evidence that promulgating a rule under
20 this subsection as an emergency rule is necessary for the preservation of public
21 peace, health, safety, or welfare and is not required to provide a finding of an
22 emergency for a rule promulgated under this subsection.

23 **SECTION 53. Effective dates.** This act takes effect on the first day of the 2nd
24 month beginning after publication, except as follows:

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1 (1) The treatment of section 175.50 (2m) and (5) of the statutes and SECTION 52

2 (1) of this act take effect on the day after publication.

3 (END)

175.49 (4) and

check a.r.

check a.r.

(3m)(b),

d-note