



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2011 Assembly Bill 234

**Assembly Substitute
Amendment 1, as Amended by
Assembly Amendment 1**

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2011 ASSEMBLY BILL 234

Assembly Bill 234 generally prohibits a local governmental unit¹ from enacting or enforcing an ordinance, or adopting or enforcing a regulation, resolution, or other restriction that prohibits hunting with a bow and arrow within the jurisdiction of that local governmental unit. The bill provides an exception that permits a local governmental unit to prohibit hunting with a bow and arrow within 150 yards of an occupied building.

ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Substitute Amendment 1 establishes a similar prohibition to that of the original bill, but includes a prohibition enacting or enforcing an ordinance, or adopting or enforcing a regulation, resolution, or other restriction that prohibits hunting with a crossbow by an authorized user. The substitute amendment permits a local governmental unit to enact or enforce an ordinance or adopt or enforce a regulation, resolution, or other restriction that prohibits a person from hunting with a bow and arrow or crossbow within 100 yards of a building located on another person's land.

Under current law, a person is prohibited from hunting within 1,700 feet of any hospital, sanatorium, or the grounds of any school. The substitute amendment alters this prohibition to apply exclusively to hunting *with a firearm*², which implies that hunting with other permitted implements

¹ A local government unit is defined under s. 16.97 (7), Stats., as “a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a combination or subunit of any of the foregoing or an instrumentality of the state and any of the foregoing.”

² Firearm is generally defined under s. 167.31 (1) (c), Stats., as “a weapon that acts by force of gunpowder.”

within 1,700 feet of these locations. An exception is created in the substitute amendment for hunting with a firearm in a school forest if the local school board permits under s. 120.13 (38), Stats.

ASSEMBLY AMENDMENT 1 TO ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Amendment 1 to Assembly Substitute Amendment 1 creates a definition of “restriction” which includes an ordinance, regulation, resolution, or other restriction. The amendment deletes the provision of the substitute amendment that permits a local governmental unit to enact or enforce a restriction that prohibits a person from hunting with a bow and arrow or crossbow within 100 yards of a building located on another person’s land and replaces it with a two-part part exception. This exception provides that a local governmental unit may only enact or enforce a restriction that prohibits a person from hunting with a bow and arrow or crossbow if the restriction “applies to a person only when hunting on another person’s land without the other person’s permission,” and the restriction “applies to a person only when hunting within a specified distance, not to exceed 100 yards, from a building located on another person’s land.”

LEGISLATIVE HISTORY

Assembly Substitute Amendment 1 and Assembly Amendment 1 to Assembly Substitute Amendment 1 were offered by Representative Kleefisch. On October 13, 2011, the Assembly Committee on Natural Resources recommended adoption of Assembly Amendment 1 to Assembly Substitute Amendment 1 on a vote of Ayes, 9; Noes, 6, recommended adoption of Assembly Substitute Amendment 1, as amended, on a vote of Ayes, 9; Noes, 6, and passage of the bill, as amended, by the same vote.

REL:ksm