

State of Wisconsin



2019 Assembly Bill 75

Date of enactment: **March 3, 2020**
Date of publication*: **March 4, 2020**

2019 WISCONSIN ACT 124

AN ACT *to renumber and amend* 66.0409 (3) (b); and *to create* 66.0409 (3) (b) 3. of the statutes; **relating to:** local regulation of honorary firearm discharges.

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

SECTION 1. 66.0409 (3) (b) of the statutes is renumbered 66.0409 (3) (b) 1. and amended to read:

66.0409 (3) (b) 1. Nothing in this section prohibits a city, village or town that is authorized to exercise village powers under s. 60.22 (3) from enacting an ordinance or adopting a resolution that restricts the discharge of a firearm. ~~Any~~

2. Notwithstanding subd. 1., any ordinance or resolution that restricts the discharge of a firearm does not apply and may not be enforced if the actor's conduct is justified or, had it been subject to a criminal penalty, would have been subject to a defense described in s. 939.45.

SECTION 2. 66.0409 (3) (b) 3. of the statutes is created to read:

66.0409 (3) (b) 3. Notwithstanding subd. 1., any ordinance or resolution that restricts the honorary discharge of a firearm that involves the use of only blanks and that is part of any of the following does not apply and may not be enforced:

- a. An event, including a funeral, honoring a current or former member of the military, law enforcement officer, or professional fire fighter.
- b. Military honors provided at a cemetery on Memorial Day or Veterans Day.
- c. Military honors provided at a veterans memorial site.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."