



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1700/2
CMH:kjf

2019 ASSEMBLY BILL 75

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

Analysis by the Legislative Reference Bureau

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

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

5 66.0409 (3) (b) 1. Nothing in this section prohibits a city, village or town that
6 is authorized to exercise village powers under s. 60.22 (3) from enacting an ordinance
7 or adopting a resolution that restricts the discharge of a firearm. *Any*

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

ASSEMBLY BILL 75

1 **SECTION 2.** 66.0409 (3) (b) 3. of the statutes is created to read:
2 66.0409 (3) (b) 3. Notwithstanding subd. 1., any ordinance or resolution that
3 restricts the honorary discharge of a firearm that involves the use of only blanks and
4 that is part of any of the following does not apply and may not be enforced:
5 a. An event, including a funeral, honoring a current or former member of the
6 military, law enforcement officer, or professional fire fighter.
7 b. Military honors provided at a cemetery on Memorial Day or Veterans Day.
8 c. Military honors provided at a veterans memorial site.

9 **(END)**