

**2019 Assembly Bill 75 (LRB -1700)**

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.

**2019**

03-07.	A.	Introduced by Representatives <b>Stafsholt, Sinicki, Born, Brandtjen, Brooks, Duchow, Edming, Gundrum, Horlacher, Jagler, Krug, Kuglitsch, Kulp, Macco, Magnafici, Murphy, Mursau, Ott, Plumer, Pronschinske, Quinn, Ramthun, Rohrkaste, Sanfelippo, Schraa, Spiros, Steffen, Subeck, Thiesfeldt, Tittl, Tranel, Tusler, Vruwink, Wichgers, Zimmerman and Skowronski</b> ; cosponsored by Senators <b>Craig, L. Taylor, Jacque, Kapenga, Kooyenga, Nass, Ringhand and Stroebel</b> .	63
03-07.	A.	Read first time and referred to Committee on Veterans and Military Affairs	63
10-03.	A.	Public hearing held	
10-29.	A.	Executive action taken	
11-07.	A.	Report passage recommended by Committee on Veterans and Military Affairs, Ayes 11, Noes 0	369
11-07.	A.	Referred to committee on Rules	369
11-07.	A.	Placed on calendar 11-12-2019 by Committee on Rules	
11-12.	A.	Read a second time	385
11-12.	A.	Ordered to a third reading	386
11-12.	A.	Rules suspended	386
11-12.	A.	Read a third time and <b>passed</b>	386
11-12.	A.	Ordered immediately messaged	386
11-12.	S.	Received from Assembly	501

**2020**

02-13.	S.	Read first time and referred to committee on Senate Organization	671
02-13.	S.	Available for scheduling	
02-14.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0	678
02-14.	S.	Placed on calendar 2-19-2020 pursuant to Senate Rule 18(1)	678
02-19.	S.	Senator Larson added as a cosponsor	
02-19.	S.	Read a second time	
02-19.	S.	Ordered to a third reading	
02-19.	S.	Rules suspended	
02-19.	S.	Read a third time and <b>concurred in</b>	
02-19.	S.	Ordered immediately messaged	
02-20.	A.	Received from Senate concurred in	



19en A B- 7.5

**ENROLLED BILL**

**Adopted Documents**

Original       Engrossed       Substitute Amdt      19 1700, 2

Amendments:  None or  Listed below.

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Corrections:  None or  Listed by date below.

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Topic:  Same as relating clause or  Indicated below.

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2/25/20

Cash

Date

Enrolling Drafter



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1700/2  
EVM:amn

## 2019 ASSEMBLY BILL 75

March 7, 2019 - Introduced by Representatives STAFSHOLT, SINICKI, BORN, BRANDTJEN, BROOKS, DUCHOW, EDMING, GUNDRUM, HORLACHER, JAGLER, KRUG, KUGLITSCH, KULP, MACCO, MAGNAFICI, MURPHY, MURSAU, OTT, PLUMER, PRONSCHINSKE, QUINN, RAMTHUN, ROHRKASTE, SANFELIPPO, SCHRAA, SPIROS, STEFFEN, SUBECK, THIESFELDT, TITTL, TRANEL, TUSLER, VRUWINK, WICHGERS, ZIMMERMAN and SKOWRONSKI, cosponsored by Senators CRAIG, L. TAYLOR, JACQUE, KAPENGA, KOOYENGA, NASS, RINGHAND and STROEBEL. Referred to Committee on Veterans and Military Affairs.

- 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.

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***Analysis by the Legislative Reference Bureau***

Under current law, no political subdivision may have more stringent regulation than is provided in state statutes of the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration, or taxation of a firearm. Current law also specifies that this limitation does not prohibit a municipality from restricting the discharge of a firearm.

Under this bill, a municipal restriction on the discharge of a firearm may not be enforced against an honorary discharge of a firearm that involves the use of only blanks and that is part of an event honoring a current or former member of the military, law enforcement officer, or fire fighter or of military honors provided at a cemetery on Memorial Day or Veterans Day or at a veterans memorial site.

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***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:

**ASSEMBLY BILL 75****SECTION 1**

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

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

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

9           66.0409 (3) (b) 3. Notwithstanding subd. 1., any ordinance or resolution that  
10 restricts the honorary discharge of a firearm that involves the use of only blanks and  
11 that is part of any of the following does not apply and may not be enforced:

12           a. An event, including a funeral, honoring a current or former member of the  
13 military, law enforcement officer, or professional fire fighter.

14           b. Military honors provided at a cemetery on Memorial Day or Veterans Day.

15           c. Military honors provided at a veterans memorial site.

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(END)