



2007 ASSEMBLY BILL 722

January 24, 2008 - Introduced by Representatives MUSSER, BIES, JESKEWITZ, BERCEAU, KAUFERT, NASS, ALBERS, TOWNSEND, A. OTT, ZIEGELBAUER and SUDER, cosponsored by Senator ROESSLER. Referred to Committee on Natural Resources.

1 **AN ACT to create** 29.305 and 29.971 (3r) of the statutes; **relating to:** prohibiting
2 certain persons from obtaining and using licenses that authorize hunting with
3 a firearm and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits certain persons from possessing a firearm. A felon is prohibited from possessing a firearm subsequent to conviction and certain persons adjudicated delinquent may not possess a firearm subsequent to adjudication. A person found not guilty of a felony by reason of mental defect is prohibited from possessing a firearm subsequent to the not guilty finding. Current law also prohibits certain persons ordered not to possess a firearm, such as those committed for treatment for a mental illness, from possessing a firearm while subject to that order. A person who is enjoined from committing acts of domestic abuse or who is enjoined from coming into contact with a child is prohibited from possessing a firearm while the injunction is in effect. Finally, a person who is subject to an order that prohibits the person from engaging in harassing behavior and from possessing a firearm, is prohibited from possessing a firearm while the order is in effect.

This bill prohibits a person who, under current law, is prohibited from possessing a firearm from obtaining a hunting license that authorizes the person to hunt with a firearm, such as a small game hunting license or a deer hunting license. The bill provides that a person who violates this prohibition is subject to a forfeiture of not less than \$1,000 nor more than \$2,000. In addition, the court must revoke all hunting, fishing, and trapping approvals issued to that person by the Department

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of Natural Resources and prohibit that person from holding such an approval for a period of five years.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 29.305 of the statutes is created to read:

2 **29.305 Persons prohibited from obtaining or using certain hunting**
3 **licenses.** (1) In this section, “hunting license” means a license issued under this
4 chapter that authorizes hunting with a firearm.

5 (2) No person may obtain or use a hunting license if the person is prohibited
6 from possessing a firearm under s. 941.29 (1).

7 (3) The department, and its agents, shall inform each person who applies for
8 a hunting license of the prohibition under sub. (2) and the penalties under ss. 29.971
9 (3r) and 941.29.

10 **SECTION 2.** 29.971 (3r) of the statutes is created to read:

11 29.971 (3r) For obtaining or using a hunting license in violation of s. 29.305 (2),
12 by a forfeiture of not less than \$1,000 nor more than \$2,000. In addition, the court
13 shall order the revocation of all hunting, fishing, and trapping approvals issued to
14 the person under this chapter and shall prohibit the person from holding any
15 hunting, fishing, or trapping approval under this chapter for a period of 5 years from
16 the date of the court’s order.

17 **SECTION 3. Initial applicability.**

18 (1) This act first applies to hunting licenses that are issued on the effective date
19 of this subsection.

20

(END)