

1999 DRAFTING REQUEST

Bill

Received: **06/02/1999**

Received By: **olsenje**

Wanted: **As time permits**

Identical to LRB:

For: **Carol Kelso (608) 266-0485**

By/Representing: **chris**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Alt. Drafters:

Subject: **Education - miscellaneous**

Extra Copies: **PG**

Pre Topic:

No specific pre topic given

Topic:

Requiring teachers to notify local law enforcement agencies if dangerous weapons are brought to school

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mlief 07/08/1999	jgeller 07/09/1999	martykr 07/12/1999	_____	lrb_docadmin 07/12/1999		Local
/2	mlief 09/02/1999	jgeller 09/02/1999	haugeca 09/03/1999	_____	lrb_docadmin 09/03/1999		Local
/3	mlief 09/07/1999	jgeller 09/07/1999	hhagen 09/08/1999	_____	lrb_docadmin 09/08/1999	lrb_docadmin 09/10/1999	Local

FE Sent For:

<END>

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Requiring teachers to notify local law enforcement agencies if dangerous weapons are brought to school

Instructions: Tcw/Chris 9/7 - Redraft to req. immediate notification + to provide exception for tools used in shop classes, See Attached

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13 9/7 jcg alt 9/7 alt 28 9/7

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/1	mlief 07/8/99	ygeller 07/9/99	martykr 07/12/99	CH Chub 9	lrb_docadmin 07/12/99		Local

FE Sent For:

1/2 9/2 jlg

CH
a-2

<END>

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1/?	mlief	1/9 jlg	mlief	_____	_____	_____	_____

FE Sent For:

<END>

Chris Rep Kelo's office 60495

Draft a bill that requires a teacher to ~~report~~ notify local law enforcement ~~and~~ agency ~~of~~ (?) school officials ~~if~~ if the teacher knows there are dangerous weapons in school.
Notification

NB: "Dangerous weapon" is defined in 939.22 (10)
"law enforcement agency" def in 165.83 (1)(b)

cf. AB-45

Tc w/Chris

- Include charter + private school
- 24 hrs
- principal, teacher + school board -
immunity from liability

~~60495~~

10

7



Handwritten signature or initials.

1999 BILL

gen cat

1 AN ACT ...; relating to: requiring school employes to notify local law enforcement
2 officials and school principals if dangerous weapons are brought to school.

Analysis by the Legislative Reference Bureau

This bill requires an employe of a school district, a charter school or a private school who has reason to believe that a person possesses a dangerous weapon (a firearm or other device capable of causing death or great bodily harm) while at school or under the supervision of school authorities to notify a local law enforcement agency and the school principal within 24[✓] hours. An employe who in good faith provides notification and his or her employer are immune from civil liability for the act of notification. This bill provides an exception from the notification requirement if a person is possessing or using a firearm or bow as part of a hunter education or bow hunter education program.

For further information see the *local* 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:

3 SECTION 1. 118.129[✓] of the statutes is created to read:

4 **118.129 Dangerous weapons; notification requirement.** (1) Except as
5 provided under sub. (3)[✓], if an employe of a school district, a charter school or a private

Handwritten scribbles or marks in the top right corner.

BILL

1 school has reason to believe that a person possesses, while at school or under the
2 supervision of school authorities, a dangerous weapon, as defined in s. 939.22 (10),
3 the employe shall notify a local law enforcement agency, as defined in s. 165.83 (1)
4 (b), and the school principal within 24 hours.

5 (2) An employe who in good faith provides notification under sub. (1) and his
6 or her employer are immune from civil liability for the act of notification.

7 (3) A school employe is not required to provide notification under sub. (1) of any
8 of the following situations:

9 (a) A person who is enrolled in a class under a hunter education program and,
10 while under the supervision of a parent or guardian, is carrying an unloaded firearm
11 to or from that class.

12 (b) A person who, while under the supervision of an instructor of a class under
13 a hunter education class, is handling or operating a firearm.

14 (c) A person who is enrolled in a class under a bow hunter education program
15 and, while under the supervision of a parent or guardian, is carrying a bow that is
16 unstrung and enclosed within a carrying case to or from that class.

17 (d) A person who, while under the supervision of an instructor of a class under
18 a bow hunter education program, is handling or using a bow.

9/12/99

~~3160~~ TC w/ Chris - Rep held

- ① Teacher ^{or employee} must notify the principal
 - ② Principal must notify law enforcement
 - ③ No time period.
 - ④ keep uncracked immunity
- Redraft CRB - 3160 ↑



1999 BILL

to edit
a/z
SOON
Red ink marker run

and school principals
to notify
local law
enforcement
officials

Regen

✓
employees

- ① AN ACT to create 118.129 of the statutes; relating to: requiring school employees
- ② to notify local law enforcement officials and school principals if dangerous
- ③ weapons are brought to school.

the school principal, or
his or her designee,
who must then notify

either kind of

Analysis by the Legislative Reference Bureau

This bill requires an employe of a school district, a charter school or a private school who has reason to believe that a person possesses a dangerous weapon (a firearm or other device capable of causing death or great bodily harm) while at school or under the supervision of school authorities to notify a local law enforcement agency ~~and the school principal~~ within 24 hours. ~~All~~ ^{person} employe who in good faith provides notification and his or her employer are immune from civil liability for the act of notification. This bill provides an exception from the notification requirement if a person is possessing or using a firearm or bow as part of a hunter education or bow hunter education program.

For further information see the *local* 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:

4 SECTION 1. 118.129 of the statutes is created to read:

BILL

1 **118.129 Dangerous weapons; notification requirement.** (1) Except as
 2 provided under sub. (3), if an employe of a school district, a charter school or a private
 3 school has reason to believe that a person possesses, while at school or under the
 4 supervision of school authorities, a dangerous weapon, as defined in s. 939.22 (10),
 5 the employe shall notify ^{the school principal, or his or her designee,} a local law enforcement agency, as defined in s. 165.83 (1), ^{After being notified,}

6 ^{notifies the school principal, the school principal's designee or a local law enforcement agency}
 (b) ~~and the school principal within 24 hours~~
 7 (2) ^{A person} ~~An employe~~ who in good faith provides notification under sub. (1) and his
 8 or her employer are immune from civil liability for the act of notification. ^{the school principal, or his or her designee, shall notify}

9 ^{A person} (3) ~~A school employe~~ is not required to provide notification under sub. (1) of any
 10 of the following situations: ^{notifies the school principal, the school principal's designee or a local law enforcement agency}

11 (a) A person who is enrolled in a class under a hunter education program and,
 12 while under the supervision of a parent or guardian, is carrying an unloaded firearm
 13 to or from that class.

14 (b) A person who, while under the supervision of an instructor of a class under
 15 a hunter education class, is handling or operating a firearm.

16 (c) A person who is enrolled in a class under a bow hunter education program
 17 and, while under the supervision of a parent or guardian, is carrying a bow that is
 18 unstrung and enclosed within a carrying case to or from that class.

19 (d) A person who, while under the supervision of an instructor of a class under
 20 a bow hunter education program, is handling or using a bow.

(END)



1999 BILL

To editing
9/7/99

SOON

R-M run

1 **AN ACT to create** 118.129 of the statutes; **relating to:** requiring school employes
2 to notify school principals and school principals to notify local law enforcement
3 officials if dangerous weapons are brought to school.

reger

immediately

Analysis by the Legislative Reference Bureau

This bill requires an employe of a school district, a charter school or a private school who has reason to believe that a person possesses a dangerous weapon (a firearm or other device capable of causing death or great bodily harm) while at school or under the supervision of school authorities to notify the school principal, or his or her designee, who must then notify a local law enforcement agency. A person who in good faith provides either kind of notification and his or her employer are immune from civil liability for the act of notification. This bill provides an exception from the notification requirement if a person is possessing or using a firearm or bow as part of a hunter education or bow hunter education program.

or is using a tool to fulfill a

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

requirement of

a class

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

4 **SECTION 1.** 118.129 of the statutes is created to read:

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SECTION 1

1 **118.129 Dangerous weapons; notification requirement.** (1) Except as
 2 provided under sub. (3), if an employe of a school district, a charter school or a private
 3 school has reason to believe that a person possesses, while at school or under the
 4 supervision of school authorities, a dangerous weapon, as defined in s. 939.22 (10),
 5 the employe shall ^{immediately} notify the school principal, or his or her designee. After being
 6 notified, the school principal, or his or her designee, shall notify a local law
 7 enforcement agency, as defined in s. 165.83 (1) (b).

8 (2) A person who in good faith notifies the school principal, the school
 9 principal's designee or a local law enforcement agency under sub. (1) and his or her
 10 employer are immune from civil liability for the act of notification.

11 (3) A person is not required to notify the school principal, the school principal's
 12 designee or a local law enforcement agency under sub. (1) of any of the following
 13 situations:

14 (a) A person who is enrolled in a class under a hunter education program and,
 15 while under the supervision of a parent or guardian, is carrying an unloaded firearm
 16 to or from that class.

17 (b) A person who, while under the supervision of an instructor of a class under
 18 a hunter education class, is handling or operating a firearm.

19 (c) A person who is enrolled in a class under a bow hunter education program
 20 and, while under the supervision of a parent or guardian, is carrying a bow that is
 21 unstrung and enclosed within a carrying case to or from that class.

22 (d) A person who, while under the supervision of an instructor of a class under
 23 a bow hunter education program, is handling or using a bow.

(24) (e) A person who is enrolled in a class and, while und
 the supervision of the instructor, is using a tool to

(END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 09/08/1999

To: Representative Kelso

Relating to LRB drafting number: LRB-3160

Topic

Requiring teachers to notify local law enforcement agencies if dangerous weapons are brought to school

Subject(s)

Education - miscellaneous

1. **JACKET** the draft for introduction

Kelso

in the **Senate** ____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction

Kelso

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Madelon J. Lief, Legislative Attorney
Telephone: (608) 267-7380