

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB174)**

Received: **10/26/1999**

Received By: **olsenje**

Wanted: **Soon**

Identical to LRB:

For: **James Kreuser (608) 266-5504**

By/Representing: **Don Dyke, LC**

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

Drafter: **olsenje**

May Contact:

Alt. Drafters:

Subject: **Criminal Law - guns and weapons**

Extra Copies: **Don Dyke, Leg. Council**

**Pre Topic:**

No specific pre topic given

**Topic:**

Discharge of firearms

**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	olsenje 10/26/1999	jgeller 10/26/1999	mclark 10/26/1999	_____	lrb_docadmin 10/27/1999	lrb_docadmin 10/27/1999	

FE Sent For:

<END>

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB174)**

Received: 10/26/1999

Received By: **olsenje**

Wanted: **Soon**

Identical to LRB:

For: **James Kreuser (608) 266-5504**

By/Representing: **Don Dyke, I.C**

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

Drafter: **olsenje**

May Contact:

Alt. Drafters:

Subject: **Criminal Law - guns and weapons**

Extra Copies: **Don Dyke, Leg. Council**

**Pre Topic:**

No specific pre topic given

**Topic:**

Discharge of firearms

**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	olsenje	1 10/26 JG	MRE 10/26	MRC/KJF 10/26			

FE Sent For:

<END>

Kruiser by Don Dyke

AB 174

Discharge - if could/would  
Do so while on duty

167.31(2)(c)

(c) Except as provided in sub. (4), no person may load or discharge a firearm or shoot a bolt or an arrow from a bow or crossbow in or from a vehicle.

167.31(2)(d)

(d) Except as provided in sub. (4) (a), (cg) and (e), no person may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow from or across a highway or within 50 feet of the center of a roadway.

167.31(3)(b)

(b) Except as provided in sub. (4), no person may load or discharge a firearm or shoot a bolt or an arrow from a bow or crossbow in or from an aircraft.

167.31(4)(a)

(a) (intro.) Subsections (2) and (3) do not apply to any of the following who, in the line of duty, place, possess, transport, load or discharge a firearm in, on or from a vehicle, motorboat or aircraft or discharge a firearm from or across a highway or within 50 feet of the center of a roadway:

167.31(4)(cg)

(cg) (intro.) A holder of a Class A or Class B permit under s. 29.193 (2) who is hunting from a stationary vehicle may load and discharge a firearm or shoot a bolt or an arrow within 50 feet of the center of a roadway if all of the following apply:

167.31(4)(cg)4.

4. The holder of the permit has obtained permission from any person who is the owner or lessee of private property across or on to which the holder of the permit intends to discharge a firearm or shoot a bolt or an arrow.

167.31(4m)

**(4m) Rules.** The department of natural resources may further restrict hunting from stationary vehicles on county or town highways by promulgating rules designating certain county and town highways, or portions thereof, upon which a holder of a Class A or Class B permit issued under s. 29.193 (2) may not discharge a firearm or shoot a bolt or an arrow from a bow or crossbow under sub. (4) (cg). For each restriction of hunting from a county or town highway contained in a rule to be promulgated under this subsection, the department shall submit a specific justification for the restriction with the rule submitted to legislative council staff for review under s. 227.15 (1).



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBa0821/1

JEO:A:...

D-Nate  
Weds 10/27  
a.m.

Jlg

ASSEMBLY AMENDMENT,  
TO 1999 ASSEMBLY BILL 174

1 At the locations indicated, amend the bill<sup>✓</sup> as follows:

2 1. Page 2, line 7: delete lines 7 to 10 and substitute:

3 "167.31 (4) (am) 1. Subsections (2) (a), (b) and (c) and (3) (a) and (b)<sup>✓</sup> do not apply  
4 to a peace officer, as defined in s. 939.22 (22)<sup>✓</sup>, who places, possesses, transports or  
5 loads a firearm in or on a vehicle, motorboat or aircraft.

6 2. Subsections (2) (c) and (d) and (3) (b) do not apply to a peace officer, as defined  
7 in s. 939.22 (22), who discharges a firearm in or from a vehicle, motorboat or aircraft,  
8 from or across a highway or within<sup>✓</sup> 50 feet of the center of a roadway while engaged  
9 in an act that is within the scope of his or her powers as a peace officer, regardless  
10 of whether the peace officer is on or off duty when he or she discharges the firearm."

11 2. Page 2, line 18: delete lines 18 and 19 and substitute:

12 "941.20 (3) (b) 1m. Paragraph (a) does not apply to a peace officer who  
13 discharges a firearm from a vehicle while engaged in an act that is within the scope

1 of his or her powers as a peace officer, regardless of whether the peace officer is on  
2 or off duty when he or she discharges the firearm.” ✓

3 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa0821/1dn  
JEO;jlg:mrc

October 26, 1999

This amendment is based on instructions that I received from Don Dyke at Legislative Council. You may want to have him review the amendment.

Jefren E. Olsen  
Senior Legislative Attorney  
Phone: (608) 266-8906  
E-mail: [Jefren.Olsen@legis.state.wi.us](mailto:Jefren.Olsen@legis.state.wi.us)