## 2001 ASSEMBLY BILL 619

November 8, 2001 – Introduced by Representatives La Fave, Stone, Sinicki, Olsen, Ryba, Riley and Young, cosponsored by Senators Burke and Darling. Referred to Committee on Criminal Justice.

- 1 AN ACT to renumber and amend 941.23; to amend 939.632 (1) (e) 1. and
- 2 939.632 (1) (e) 3.; and *to create* 941.23 (2) of the statutes; **relating to:** carrying
- a concealed weapon and providing a penalty.

## Analysis by the Legislative Reference Bureau

Under current law, no person, other than a peace officer, may carry a concealed dangerous weapon. "Dangerous weapon" is defined as any loaded or unloaded firearm; any device designed as a weapon and capable of producing death or great bodily harm; any electric weapon; or any other object which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm. A person who violates this prohibition may be fined not more than \$10,000 or imprisoned for not more than nine months or both. Under this bill, if a person violates this prohibition after having been convicted of violating it previously, the maximum term of imprisonment for the person is increased to five years.

For further information see the *state and 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:

**SECTION 1.** 939.632 (1) (e) 1. of the statutes is amended to read:

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1	939.632 <b>(1)</b> (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 (1),
2	940.19 (2), (3), (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,
3	941.21, <u>941.23 (2) (b)</u> , 943.02, 943.06, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2),
4	948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08, 948.30
5	(2), 948.35 (1) (b) or (c) or 948.36.
6	<b>Section 2.</b> 939.632 (1) (e) 3. of the statutes is amended to read:
7	939.632 <b>(1)</b> (e) 3. Any misdemeanor under s. 940.19 (1), 940.225 (3m), 940.32
8	(2), 940.42, 940.44, 941.20 (1), 941.23 (2) (a), 941.235, 941.24 or 941.38 (3).
9	SECTION 3. 941.23 of the statutes is renumbered 941.23 (1) and amended to
10	read:
11	941.23 (1) Any No person except a peace officer who goes may go armed with
12	a concealed and dangerous weapon is guilty of a Class A misdemeanor.
13	<b>Section 4.</b> 941.23 (2) of the statutes is created to read:
14	941.23 (2) (a) Except as provided in par. (b), any person who violates sub. (1)
15	is guilty of a Class A misdemeanor.
16	(b) Any person who violates sub. (1) after having been convicted under this
17	section is guilty of a Class E felony.
18	(END)