



**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 214**

October 15, 2003 – Offered by COMMITTEE ON JUDICIARY, CORRECTIONS AND PRIVACY.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 12, line 25: after “s.” insert “943.13 (1m) (c) or”.

3 **2.** Page 35, line 10: after that line insert:

4 “(c) A business or a nonprofit organization that permits a person to carry a
5 concealed weapon on property that it owns or occupies is immune from any liability
6 arising from its decision to do so, if done in good faith.”.

7 **3.** Page 40, line 25: after that line insert:

8 “**SECTION 35c.** 943.13 (1e) (bm) of the statutes is created to read:

9 943.13 (**1e**) (bm) “Licensee” means a licensee, as defined in s. 175.50 (1) (d), or
10 an out-of-state licensee, as defined in s. 175.50 (1) (g).

11 **SECTION 35f.** 943.13 (1e) (g) of the statutes is created to read:

12 943.13 (**1e**) (g) “Weapon” has the meaning given in s. 175.50 (1) (j).

1 **SECTION 35j.** 943.13 (1m) (b) of the statutes is amended to read:

2 943.13 **(1m)** (b) Enters or remains on any land of another after having been
3 notified by the owner or occupant not to enter or remain on the premises. This
4 paragraph does not apply to a licensee if the owner’s or occupant’s intent is to prevent
5 the licensee from going armed with a concealed weapon on the owner’s or occupant’s
6 land.

7 **SECTION 35m.** 943.13 (1m) (c) of the statutes is created to read:

8 943.13 **(1m)** (c) 1. While going armed with a concealed weapon, enters or
9 remains at a residence that the person does not own or occupy after the owner of the
10 residence, if he or she has not leased it to another person, or the occupant of the
11 residence has notified the actor not to enter or remain at the residence while going
12 armed with a concealed weapon or with that type of concealed weapon. In this
13 subdivision, “residence,” with respect to a single-family residence, includes all of the
14 premises, and “residence,” with respect to a residence that is not a single-family
15 residence, does not include any common area of the building in which the residence
16 is located.

17 2. While going armed with a concealed weapon, enters or remains in any part
18 of a nonresidential building that the person does not own or occupy after the owner
19 of the building, if he or she has not leased it to another person, or the occupant of the
20 building has notified the actor not to enter or remain in the building while going
21 armed with a concealed weapon or with that type of concealed weapon. This
22 subdivision does not apply to a part of a building occupied by the state or one of its
23 political subdivisions or to any part of a building used for parking.

24 **SECTION 35p.** 943.13 (2) (intro.) of the statutes is renumbered 943.13 (2) (am)
25 (intro.), and 943.13 (2) (am) (intro.) and 1., as renumbered, are amended to read:

1 943.13 (2) (am) (intro.) A person has received notice from the owner or occupant
2 within the meaning of sub. (1m) (b), (e) or (f) if he or she has been notified personally,
3 either orally or in writing, or if the land is posted. Land is considered to be posted
4 under this ~~subsection~~ paragraph under either of the following procedures:

5 1. If a sign at least 11 inches square is placed in at least 2 conspicuous places
6 for every 40 acres to be protected. The sign must carry an appropriate notice and the
7 name of the person giving the notice followed by the word “owner” if the person giving
8 the notice is the holder of legal title to the land and by the word “occupant” if the
9 person giving the notice is not the holder of legal title but is a lawful occupant of the
10 land. Proof that appropriate signs as provided in this ~~paragraph~~ subdivision were
11 erected or in existence upon the premises to be protected prior to the event
12 complained of shall be prima facie proof that the premises to be protected were posted
13 as provided in this ~~paragraph~~ subdivision.

14 **SECTION 35s.** 943.13 (2) (bm) of the statutes is created to read:

15 943.13 (2) (bm) 1. In this paragraph, “sign” means a sign that states a
16 restriction imposed under subd. 2. that is at least 11 inches square.

17 2. For the purposes of sub. (1m) (c) 2., an owner or occupant of a part of a
18 nonresidential building has notified an individual not to enter or remain in that part
19 of the nonresidential building while going armed with a concealed weapon or with
20 a particular type of concealed weapon if the owner or occupant has done all of the
21 following:

22 a. Posted a sign that is located in a prominent place near the primary entrance
23 to the part of the nonresidential building to which the restriction applies.

24 b. Personally and orally notified the individual of the restriction.

25 **SECTION 35w.** 943.13 (3) of the statutes is amended to read:

