

**2003 DRAFTING REQUEST**

**Senate Amendment (SA-SSA(LRBs0161/3)-SB214)**

Received: **09/05/2003**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **David Zien (608) 266-7511**

By/Representing: **Bob Seitz**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - guns and weapons  
Employ Priv - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Zien@legis.state.wi.us**

Carbon copy (CC:) to: **cathlene.hanaman@legis.state.wi.us**

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**Pre Topic:**

No specific pre topic given

---

**Topic:**

Employer prohibiting employee from carrying a concealed weapon

---

**Instructions:**

Permit them to do so. Immunity for owners who do not prohibit employees from carrying a concealed weapon.

---

**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>
/?	mdsida 09/05/2003	jdyer 09/08/2003		_____			
		jdyer 09/08/2003		_____			
/1	mdsida	chanaman	jfrantze	_____	lemery	lemery	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	09/08/2003 mdsida	09/12/2003 jdyer	09/08/2003	_____	09/08/2003	09/08/2003	
	09/22/2003	09/23/2003 jdyer		_____			
		09/23/2003		_____			
/2	mdsida 10/10/2003	wjackson 10/10/2003	pgreensl 09/23/2003	_____	lemery 09/23/2003	lemery 09/23/2003	
/3			rschluet 10/10/2003	_____	lnorthro 10/10/2003	lnorthro 10/10/2003	

FE Sent For:

<END>

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10-10-3

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	09/08/2003 mdsida	09/12/2003 jdyer	09/08/2003	_____	09/08/2003	09/08/2003	
	09/22/2003	09/23/2003 jdyer		_____			
		09/23/2003		_____			
12		13 WLJ 10/10	pgreensl	_____	lemery	lemery	
			09/23/2003	_____	09/23/2003	09/23/2003	

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/?	mdsida 09/05/2003	jdye 09/08/2003 jdye 09/08/2003		<u>9/23</u>			
/1		1/2 9/23 jld	jfrantze	<u>9/23</u> <u>PS/Ch</u>	lemery	lemery	

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			09/08/2003	_____	09/08/2003	09/08/2003	

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/?	mdsida	1 9/8 jld	7/9/8	Self 9/8			

FE Sent For:

<END>

## Dsida, Michael

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**From:** Seitz, Robert  
**Sent:** Friday, September 05, 2003 4:36 PM  
**To:** Dsida, Michael  
**Subject:** RE: employer restriction

No. They can have policies that conform to their situation. You may not want to allow carry in a flammable environment, for instance.

-----Original Message-----

**From:** Dsida, Michael  
**Sent:** Friday, September 05, 2003 4:31 PM  
**To:** Seitz, Robert  
**Subject:** employer restriction

Does it have to be all or nothing? Can an employer prohibit certain employees (e.g., those working in a building) from CCW while allowing others (e.g., people working in the field, such as delivery or sales staff) to do so?

Mike Dsida  
Legislative Reference Bureau  
608/266-9867  
michael.dsida@state.legis.wi.us



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBa08992

MGD:.....

jld

MON 5pm

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SENATE AMENDMENT,

TO SENATE SUBSTITUTE AMENDMENT (LRBs0161/1),

TO 2003 SENATE BILL 214

LPS -  
print  
w/line  
numbers

At the locations indicated, amend the substitute amendment<sup>✓</sup> as follows:

→ INS 1-2 (END)



~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~  
~~ASSEMBLY AMENDMENT ,~~  
~~TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0162/1),~~  
~~TO 2003 ASSEMBLY BILL 444~~

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

2 1. Page 12, line 17: <sup>✓</sup> after "sub." insert "(15m) or".

3 2. Page 29, line 19: after that line insert:

4 <sup>✓</sup>  
5 "(15m) PRIVATE EMPLOYER RESTRICTIONS. A private employer may prohibit a  
6 licensee or an out-of-state licensee that it employs from carrying a concealed  
7 weapon or a particular type of concealed weapon in the course of the licensee's or  
8 out-of-state licensee's employment or during any part of the licensee's or  
9 out-of-state licensee's course of employment."

3. Page 34, line 12: after that line insert:



INS  
1-2  
→



## Dsida, Michael

---

**From:** Seitz, Robert  
**Sent:** Friday, September 19, 2003 5:15 PM  
**To:** Dsida, Michael  
**Cc:** Bruhn, Mike  
**Subject:** RE: Parking lots and employers

At the risk of complicating this, can we make it clear that, outside of the language we have for schools, carry cannot be prohibited in a personal vehicle?

Additionally, in the employment question, it is possible to legally store a firearm in a vehicle currently without violating the concealed carry prohibition if it is encased and unloaded.

Mike, so we can move faster, please copy Mike Bruhn on all of this correspondence going forward. Thanks.

Bob

-----Original Message-----

**From:** Dsida, Michael  
**Sent:** Thursday, September 18, 2003 2:39 PM  
**To:** Seitz, Robert  
**Subject:** Parking lots and employers

Since parking a car or leaving a workplace by car is not part of a person's course of employment, for most cases, the amendment wouldn't even need to refer to parking lots. But what about employees who use their cars in the course of employment? Prohibiting the employee from carrying would effectively require the employee to leave the weapon at home or require the employer to provide storage for the weapon. How do you want to handle this situation?

Mike Dsida  
Legislative Reference Bureau  
608/266-9867  
michael.dsida@state.legis.wi.us



LPS - Please  
Fix request sheet

SOON

SENATE AMENDMENT,  
TO SENATE SUBSTITUTE AMENDMENT (LRBs0161/1),  
TO 2003 SENATE BILL 214

NO  
motor vehicle, regardless of whether the motor vehicle is used  
in the course of employment. >>

NO  
(a) Except as provided in par. (b),

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

2 1. Page 12, line <sup>25</sup> 17: after "sub." insert "(15m) or".

3 2. Page ~~18~~ <sup>30</sup>, line ~~19~~ <sup>20</sup>: after that line insert:

4 "(15m) PRIVATE EMPLOYER RESTRICTIONS. A private employer may prohibit a  
5 licensee or an out-of-state licensee that it employs from carrying a concealed  
6 weapon or a particular type of concealed weapon in the course of the licensee's or  
7 out-of-state licensee's employment or during any part of the licensee's or  
8 out-of-state licensee's course of employment.

9 3. Page 34, line <sup>23</sup> ~~14~~: after that line insert:

(H) (b) A private employer may not prohibit a licensee or  
an out-of-state licensee, as a condition of employment,  
from carrying a concealed weapon or a particular type of  
concealed weapon in the licensee's or out-of-state licensee's own





State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBa0899/2 3  
MGD:jld:pg  
EWLj

SENATE AMENDMENT ,  
TO SENATE SUBSTITUTE AMENDMENT (LRBs0161/2),  
TO 2003 SENATE BILL 214

3

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

2 1. Page 12, line 25: after "sub." insert "(15m) or".

3 2. Page 30, line 19: after that line insert:

4 "(15m) PRIVATE EMPLOYER RESTRICTIONS. (a) Except as provided in par. (b), a  
5 private employer may prohibit a licensee or an out-of-state licensee that it employs  
6 from carrying a concealed weapon or a particular type of concealed weapon in the  
7 course of the licensee's or out-of-state licensee's employment or during any part of  
8 the licensee's or out-of-state licensee's course of employment.

9 (b) A private employer may not prohibit a licensee or an out-of-state licensee,  
10 as a condition of employment, from carrying a concealed weapon or a particular type  
11 of concealed weapon in the licensee's or out-of-state licensee's own motor vehicle,  
12 regardless of whether the motor vehicle is used in the course of employment."



0896  
0899 - SA 2 - SSA 1 - SB 214  
SD 161/3

CONCEALED WEAPONS SUB. "IN" LIST

JFC ACTION	LRB #	OK?	SUBJECT
Motion 877	<del>1309/1</del>	Yes	Opt-out domestic violence shelters
Motion 876	<del>1308/1</del>	Yes	Opt-out domestic child care facilities
Motion 875	<del>1398/1</del>	Yes	Opt-out places of worship
Motion 892	1398/1	Yes	Licensee Info Search on TIME
Motion 878	1408/1	Yes	Opt-out for hospitals
Motion 889	1399/1	Yes	So-called "opt-out" for health care facilities
Motion 811	1282/3	Yes	Cannot carry at universities and related
Motion 895	1301/3	Yes	DOJ access to MH information
Motion 887	1302/2	Yes	5th month effective date
Motion 826	1303/1	Yes	To extent authorized by fed law
Motion 827	1306/1	Yes	Delete \$15 late fee
Motion 830	1308/1	Yes	DOJ rules on financial hardship
Motion 892	1309/1	Yes	Waiting period for exempt LE licensees
Motion 833	1311/1	Yes	30 days to issue license
Motion 835	1315/1	Yes	Registers in probate to share info w DOJ
Motion 839	1054/2	Yes	CCAP notification, delayed E date
Motion 856	1312/1	Yes	Immunity for court officials
Motion 857	1105/2	Yes	"Prompt" instead of "immediate"
Drafted Motion	0937/3	Yes	Public Bldgs May Bar CWs
Drafted Motion	1056/2	Yes	Out-of-state CW license list
Drafted Motion	1305/1	Yes	Elements of firearms training
Drafted Motion	0940/1	Yes	DOJ rules on physical disability
Drafted Motion		Yes	Alcohol/intoxicant use

NB: 1421/1 is accomplished by 1309/1 and is not included in this "in" list.  
NB: 1422/1 is accomplished by 1303/1 and is not included in this "in" list.

~~1309/1~~  
1308/1  
1309/1

Express into  
LRBs 0226/1

SSA 2 to SB 214  
Compile List