

JFC ACTION

- Motion 877
- Motion 876
- Motion 875
- Motion 892
- Motion 878
- Motion 889
- Motion 811
- Motion 895
- Motion 887
- Motion 826
- Motion 827
- Motion 830
- Motion 832
- Motion 833
- Motion 835
- Motion 839
- Motion 856
- Motion 857
- Drafted Motion
- Drafted Motion
- Drafted Motion
- Drafted Motion
- Drafted Motion

CONCEALED WEAPONS SUB. "IN" LIST

LRB #	OK?
1398/1	Yes
1408/1	Yes
1399/1	Yes
1282/3	Yes
1301/3	Yes
1302/2	Yes
1303/1	Yes
1306/1	Yes
1308/1	Yes
1309/1	Yes
1311/1	Yes
1315/1	Yes
1054/2	Yes
1105/2	Yes
0937/3	Yes
1056/2	Yes
1305/1	Yes
0940/1	Yes

- SUBJECT
- Opt-out domestic violence shelters
 - Opt-out domestic child care facilities
 - Opt-out places of worship
 - Licensee Info Search on TIME
 - Opt-out for hospitals
 - So-called "opt-out" for health care facilities
 - Cannot carry at universities and related
 - DOJ access to MH information
 - 5th month effective date
 - To extent authorized by fed law
 - Delete \$15 late fee
 - DOJ rules on financial hardship
 - Waiting period for exempt LE licensees
 - 30 days to issue license
 - Registers in probate to share info w DOJ
 - CCAP notification, delayed E date
 - Immunity for court officials
 - "Prompt" instead of "immediate"
 - Public Bldgs May Bar CWS
 - Out-of-state CW license list
 - Elements of firearms training
 - DOJ rules on physical disability
 - 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.

Appendix

SSA 2 to SB 214
 compile Drafts

50161/3
 Engross into LRBs 0226/1

~~13~~
~~14~~
~~15~~

2003 DRAFTING REQUEST

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

Received: **10/07/2003**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **Mike Bruhn**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - guns and weapons
State Govt - miscellaneous
Counties - miscellaneous
Munis - 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**

Pre Topic:

No specific pre topic given

Topic:

Weapons in government buildings

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>
/?	mdsida 10/07/2003	jdyer 10/09/2003		_____			
/1	chanaman 10/13/2003	jdyer 10/14/2003	jfrantze 10/09/2003	_____	lemery 10/09/2003	lemery 10/09/2003	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2			rschluet 10/14/2003	_____	Inorthro 10/14/2003	Inorthro 10/14/2003	

FE Sent For:

<END>

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No specific pre topic given

Topic:

Weapons in government buildings

Instructions:

See Attached

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/?	mdsida 10/07/2003	jdyer 10/09/2003					
/1		1/2 10/14 jld	jfrantze 10/09/2003		lemery 10/09/2003	lemery 10/09/2003	

Handwritten signatures and dates:
10-14-03

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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Senate Amendment (SA-SSA(LRBs0161/2)-SB214)

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State Govt - miscellaneous
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Weapons in government buildings

Instructions:

See Attached

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/?	mdsida	1 ^{10/9} jld					

FE Sent For:

<END>



Fix request
sheet, if needed

10/17

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 31, line ²³ 9: after that line insert:

3 “(am) Neither a licensee nor an out-of-state licensee may carry a concealed
4 weapon in a building owned or leased by the state or any political subdivision of the
5 state if the building [✓] provides for the electronic screening ^{for} of weapons at all public
6 entrances to the building and for the locked storage of weapons on the premises while
7 the licensee or out-of-state licensee is in the building. This paragraph does not apply
8 to:

9 1. Peace officers or armed forces or military personnel who go armed in the line
10 of duty.

11 2. A person authorized to carry a weapon in the building by the chief of police
12 of the city, village, or town or the sheriff of the county in which the building is located.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa1105/2
MGD:jld:rs

SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT (LRBs0161/3),
TO 2003 SENATE BILL 214

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

2 **1.** Page 31, line 23: after that line insert:

3 “(am) Neither a licensee nor an out-of-state licensee may carry a concealed
4 weapon in a building owned or leased by the state or any political subdivision of the
5 state if the building provides electronic screening for weapons at all public entrances
6 to the building and for the locked storage of weapons on the premises while the
7 licensee or out-of-state licensee is in the building. This paragraph does not apply
8 to:

9 1. Peace officers or armed forces or military personnel who go armed in the line
10 of duty.

11 2. A person authorized to carry a weapon in the building by the chief of police
12 of the city, village, or town or the sheriff of the county in which the building is located.

2003 DRAFTING REQUEST

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

Received: **09/12/2003**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **Bob**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters: **mdsida**

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

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**

Pre Topic:

No specific pre topic given

Topic:

Reciprocity

Instructions:

Limit reciprocity to states that have substantially similar restrictions or that impose more restrictions; require DOJ to list those states by rule

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	rnelson2 09/24/2003	jdyer 09/24/2003	jfrantze 09/24/2003	_____	mbarman 09/24/2003	mbarman 09/24/2003	
/2	rnelson2 10/09/2003	jdyer 10/10/2003	jfrantze 10/10/2003	_____	sbasford 10/10/2003	sbasford 10/10/2003	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	chanaman 10/14/2003	jdye 10/10/2003		_____			
		jdye 10/14/2003		_____			
/3			jfrantze 10/14/2003	_____	sbasford 10/14/2003	sbasford 10/14/2003	

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SSA(LRBs0161/2)-SB214)

Received: 09/12/2003

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: David Zien (608) 266-7511

By/Representing: Bob

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters: mdsida

Subject: Criminal Law - guns and weapons
Justice - criminal

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

Pre Topic:

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/?							
/1	rnelson2 09/24/2003	jdyer 09/24/2003	jfrantze 09/24/2003	_____	mbarman 09/24/2003	mbarman 09/24/2003	
/2	rnelson2 10/09/2003	jdyer 10/10/2003	jfrantze 10/10/2003	_____	sbasford 10/10/2003	sbasford 10/10/2003	

Handwritten notes: 13/14 jld, 10/14, 10/14

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

jdye
10/10/2003

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SSA(LRBs0161/2)-SB214)

Received: 09/12/2003

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: David Zien (608) 266-7511

By/Representing: Bob

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters: mdsida

Subject: Criminal Law - guns and weapons
Justice - criminal

Extra Copies:

Submit via email: YES

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

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/?							
/1	rnelson2 09/24/2003	jdye 09/24/2003	jfrantze 09/24/2003	_____	mbarman 09/24/2003	mbarman 09/24/2003	

FE Sent For:

1/2 10/10 jld
 10/10
 10/10
 10/10

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SSA(LRBs0161/2)-SB214)

Received: 09/12/2003

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: David Zien (608) 266-7511

By/Representing: Bob

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters: mdsida

Subject: Criminal Law - guns and weapons
Justice - criminal

Extra Copies:

Submit via email: YES

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

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Pre Topic:

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rnelson2	1 9/24 jcd	9/24	Self 9/24			

FE Sent For:

<END>

soon (9/24)

2003 - 2004 LEGISLATURE

LRBa0938/1
RPN&MGD:jld:jf
↑
stays

LPS:
(sorry - I ran
to redraft matter to
a (1))

SENATE
~~ASSEMBLY~~ AMENDMENT,
SENATE
TO ~~ASSEMBLY~~ SUBSTITUTE AMENDMENT (LRBs0162/2),
SENATE 214
TO 2003 ~~ASSEMBLY~~ BILL 444

D-note

- 1 At the locations indicated, amend the substitute amendment as follows: ✓
- 2 1. Page 8, line 24: after that line insert:
- 3 "SECTION 11m. 165.25 (11) of the statutes is created to read:
- 4 165.25 (11) LIST OF CONCEALED-CARRY LICENSE APPROVED STATES. Determine
- 5 which states issue permits or licenses to carry a concealed weapon to persons who
- 6 ~~meet qualifications~~ that are substantially similar to or more restrictive than those
- 7 specified under s. 175.50 (3) and promulgate by rule a list of those states."
- 8 2. Page 11, line 1: delete "issued" and substitute "that meets all of the
- 9 following:".
- 10 3. Page 11, line 2: delete lines 2 and 3 and substitute:
- 11 "1. Is issued by another state documenting that a person is authorized under
- 12 the law of that state to carry a concealed weapon in that state.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0938/1dn

RPN:jld:jf

↑
keep

September 24, 2003

This draft requires DOJ to promulgate rules that list the states with approved licenses or permits. Instead, you may want to consider requiring DOJ to publish the list in the Administrative Register. This takes much less time to do, can be updated easily, and is available to the public.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0937/1dn
RPN:jld:jf

September 24, 2003

This draft requires DOJ to promulgate rules that list the states with approved licenses or permits. Instead, you may want to consider requiring DOJ to publish the list in the Administrative Register. This takes much less time to do, can be updated easily, and is available to the public.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

Nelson, Robert P.

From: Seitz, Robert
Sent: Wednesday, October 08, 2003 1:50 PM
To: Nelson, Robert P.
Cc: Bruhn, Mike
Subject: LRBa 0937/1

Thanks for the amendment draft to SB 214/AB 444. We have a change for the amendment. Instead of the "substantially similar" language, we would like to grant reciprocity to all states that have a training requirement and criminal background check. We would like to keep the language requiring DOJ to list these states in rule. Additionally, only licensees from these states who are age 21 or over could carry in Wisconsin.

Please draft the change for both bills and copy correspondence to Mike Bruhn in Rep. Gunderson's office.

Thank you

Bob Seitz
Chief of Staff
Senator Dave Zien



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

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

2 **1.** Page 8, line 24: after that line insert:

3 “SECTION 11m. 165.25 (11) of the statutes is created to read:

4 165.25 (11) LIST OF CONCEALED-CARRY LICENSE APPROVED STATES. Determine
5 which states issue permits or licenses to carry a concealed weapon to persons who
6 meet ~~qualifications~~ *training requirements and criminal background checks* that are substantially similar to or more restrictive than those
7 specified under s. 175.50 (3) *(h) and (99)* and promulgate by rule a list of those states.”

8 **2.** Page 11, line 1: delete “issued” and substitute “that meets all of the
9 following:”.

10 **3.** Page 11, line 2: delete lines 2 and 3 and substitute:

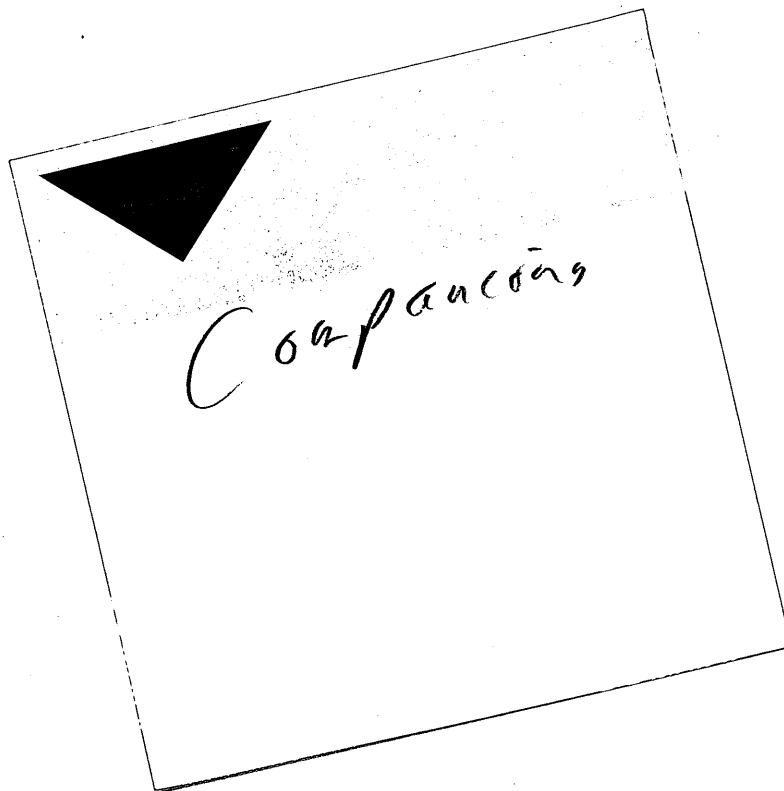
11 “1. Is issued by another state documenting that a person is authorized under
12 the law of that state to carry a concealed weapon in that state.

1 2. Is issued by another state that restricts the issuance of a valid permit or valid
 2 license to those persons who meet ^{training requirements and criminal background checks} ~~qualifications~~ that are substantially similar to or
 3 more restrictive than those specified under sub. (3) ^{(h) and (g)} ~~h~~.

4

(END)

Page 11, line 4: after "individual"
 insert "who is ²¹ years of age or over".





State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa0937/2-3
RPN&MGD:jld:jf

Fix request sheet if needed

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

10/20
MM

3

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

2 1. Page 8, line 24: after that line insert:

3 "SECTION 11m. 165.25 (11) of the statutes is created to read:

4 165.25 (11) LIST OF CONCEALED-CARRY LICENSE APPROVED STATES. Determine
5 which states issue permits or licenses to carry a concealed weapon to persons who
6 meet training requirements and criminal background checks that are substantially
7 similar to or more restrictive than those specified under s. 175.50 (3) (h) and (9g) and
8 promulgate by rule a list of those states."

9 2. Page 11, line 1: delete "issued" and substitute "that meets all of the
10 following:"

11 3. Page 11, line 2: delete lines 2 and 3 and substitute
to which all of the following apply:

by another state
license document issued

The permit document
or license document

1 ~~1. Is issued by another state~~ documenting that a person is authorized under
2 the law of that state to carry a concealed weapon in that state.

3 2. Is issued by ^{that} another state ~~that restricts the issuance of a valid permit or valid~~ only
4 ~~license~~ to those persons who meet training requirements and criminal background
5 checks that are substantially similar to or more restrictive than those specified
6 under sub. (3) (h) and (9g)."

7 4. Page 11, line 4: after "individual" insert "who is 21 years of age or over,".

8

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa0937/3
RPN&MGD:jld:jf

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT (LRBs0161/3),
TO 2003 SENATE BILL 214**

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

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5 which states issue permits or licenses to carry a concealed weapon to persons who
6 meet training requirements and criminal background checks that are substantially
7 similar to or more restrictive than those specified under s. 175.50 (3) (h) and (9g) and
8 promulgate by rule a list of those states.”.

9 **2.** Page 11, line 2: delete lines 2 and 3 and substitute “license document issued
10 by another state to which all of the following apply:

11 1. The permit document or license document documents that a person is
12 authorized under the law of that state to carry a concealed weapon in that state.

2003 DRAFTING REQUEST**Senate Amendment (SA-SSA(LRBs0161/3)-SB214)**Received: **10/01/2003**Received By: **mdsida**Wanted: **As time permits**

Identical to LRB:

For: **David Zien (608) 266-7511**By/Representing: **Bob**This file may be shown to any legislator: **NO**Drafter: **chanaman**

May Contact:

Addl. Drafters: **mdsida**Subject: **Criminal Law - guns and weapons**

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**

Pre Topic:

No specific pre topic given

Topic:

Requirements for firearms safety course or class

Instructions:

We need an amendment drafted, which spells out the training requirements that should be taught in the training classes. The provision should read something like: "The individual has completed a firearms safety course taught by an instructor certified by the state..." The add in: At a minimum the course shall include instruction regarding:

- a) The safe handling, loading, and unloading of both pistols and revolvers
- b) Safe firearm storage practices when the firearm is not being used
- c) The laws pertaining to the justified use of lethal force in self-defense
- d) General principles of victim avoidance
- e) Knowledge of basic self-defense principles and practices
- f) General options and practices associated with the secure and safe carry of a concealed firearm
- g) Live fire instruction and practice

Companion to LRBa1060

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 10/02/2003 chanaman 10/09/2003	wjackson 10/09/2003		_____			
/1	chanaman 10/13/2003	jdye 10/14/2003	pgreensl 10/09/2003	_____	lnorthro 10/09/2003	lnorthro 10/09/2003	
/2			rschlue 10/14/2003	_____	lnorthro 10/14/2003	lnorthro 10/14/2003	

FE Sent For:

<END>

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- a) The safe handling, loading, and unloading of both pistols and revolvers
- b) Safe firearm storage practices when the firearm is not being used
- c) The laws pertaining to the justified use of lethal force in self-defense
- d) General principles of victim avoidance
- e) Knowledge of basic self-defense principles and practices
- f) General options and practices associated with the secure and safe carry of a concealed firearm
- g) Live fire instruction and practice

Companion to LRBa1060

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>
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/?	midsida 10/02/2003 chanaman 10/09/2003	wjackson 10/09/2003		_____			
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12/14 jld

/1			pgreensl 10/09/2003	_____			
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					Inorthro 10/09/2003	Inorthro 10/09/2003	
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FE Sent For:

[Handwritten signature]

[Handwritten signature]

10-14-3 <END>

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Requirements for firearms safety course or class

Instructions:

We need an amendment drafted, which spells out the training requirements that should be taught in the training classes. The provision should read something like: "The individual has completed a firearms safety course taught by an instructor certified by the state..." The add in: Ata a minimum the course shall include instruction regarding:

- a) The safe handling, loading, and unloading of both pistols and revolvers
- b) Safe firearm storage practices when the firearm is not being used
- c) The laws pertaining to the justified use of lethal force in self-defense
- d) General principles of victim avoidance
- e) Knowledge of basic self-defense principles and practices
- f) General options and practices associated with the secure and safe carry of a concealed firearm
- g) Live fire instruction and practice

Companion to LRBa1060

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 10/02/2003 chanaman 10/09/2003	wjackson 10/09/2003		_____ _____ _____ _____			
/1			pgreensl 10/09/2003	_____ _____	lrb_pa		

FE Sent For:

<END>



State of Wisconsin
2003 - 2004 LEGISLATURE

1056/1
LRBa1060/1
CMH&MGD:/:....
Wlj
RM
not
run

TODAY

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0162/2),
TO 2003 ASSEMBLY BILL 444

I
cannot print
request
sheet

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 ✓ 1. Page 15, line 10: after "class" insert "that meets the requirements under
- 3 sub. (4m)".
- 4 ✓ 2. Page 15, line 11: after "class" insert "that meets the requirements under
- 5 sub. (4m) and that is".
- 6 ✓ 3. Page 15, line 19: after "board" insert "and the requirements under sub.
- 7 (4m)".
- 8 ✓ 4. Page 15, line 20: after "class" insert "that meets the requirements under
- 9 sub. (4m) and that is".
- 10 ✓ 5. Page 17, line 19: after that line insert:
- 11 "(4m) COURSE OR CLASS REQUIREMENTS. A firearm training or firearm safety
- 12 course or class under sub. (3) (h) 2. to 5. shall include all of the following:

- 1 (a) Instruction on how to handle, load, unload, and store handguns.
- 2 (b) Instruction on the privilege of self-defense and the defense of others under
- 3 s. 939.48. ✓
- 4 (c) Instruction on how to avoid injuring 3rd parties when defending himself,
- 5 herself, or others in a manner that is privileged under s. 939.48. ✓
- 6 (d) Basic self-defense principles.
- 7 (e) Instruction on how to carry a concealed handgun safely.
- 8 (f) Instruction on firing a handgun.
- 9 (g) Practice firing a handgun.”.

10 ✓ **6.** Page 34, line 16: after “classes” insert “that meet the requirements under

11 sub. (4m)”.

12

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

Fix request sheet if needed

LRBa1056/0
CMH&MGD:wlj:pg
2
↑ + jld

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

2
3

10/17

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 15, line 10: after "class" insert "that meets the requirements under
- 3 sub. (4m)".
- 4 **2.** Page 15, line 11: after "class" insert "that meets the requirements under
- 5 sub. (4m) and that is".
- 6 **3.** Page 15, line ^{*21*}19: after "board" insert "and the requirements under sub.
- 7 (4m)".
- 8 **4.** Page 15, line ^{*22*}20: after "class" insert "that meets the requirements under
- 9 sub. (4m) and that is".
- 10 **5.** Page 17, line ^{*24*}19: after that line insert:



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa1056/2
CMH&MGD:wlj&jld:rs

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT (LRBs0161/3),
TO 2003 SENATE BILL 214**

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

2 **1.** Page 15, line 10: after "class" insert "that meets the requirements under
3 sub. (4m)".

4 **2.** Page 15, line 11: after "class" insert "that meets the requirements under
5 sub. (4m) and that is".

6 **3.** Page 15, line 21: after "board" insert "and the requirements under sub.
7 (4m)".

8 **4.** Page 15, line 22: after "class" insert "that meets the requirements under
9 sub. (4m) and that is".

10 **5.** Page 17, line 24: after that line insert:

2003 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB214)

Received: **10/18/2003**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Paul**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Concealed weapons; rules regarding applying disability criteria

Instructions:

Provide that DOJ issues rules regarding how county sheriffs are to apply the physical disability eligibility requirement.

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 10/18/2003			_____			
/1	rnelson2 10/20/2003	kgilfoy 10/20/2003	pgreensl 10/20/2003	_____	sbasford 10/20/2003	sbasford 10/20/2003	

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB214)

Received: 10/18/2003

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Paul

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Addl. Drafters:

Subject: Criminal Law - guns and weapons

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Concealed weapons; rules regarding applying disability criteria

Instructions:

Provide that DOJ issues rules regarding how county sheriffs are to apply the physical disability eligibility requirement.

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?	mdsida	11-10/20 <i>[Signature]</i>	10/20 <i>[Signature]</i>	10/20 <i>[Signature]</i>			
FE Sent For:			PS	PS			
				<END>			



10/20 4pm
State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa1305/1
RPN&MGD:.....

mg

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

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

2 1. Page 35, line 10: after that line insert:

text: treat

3
4 “(22m) RULES. The department shall promulgate rules specifying the
5 procedures and definitions that the sheriff is required to apply when determining
6 an individual is ~~not eligible~~ ^{ineligible} for a license under this section because he or she has a
7 physical disability that prevents him or her from safely handling a weapon.”

(END)

whether

Emery, Lynn

From: Emery, Lynn
Sent: Tuesday, October 21, 2003 12:15 PM
To: Roller, Rachel
Cc: Sen.Moore
Subject: LRBa1305/1 (attached)



03a1305/1

Lynn Emery
Program Assistant
Legislative Reference Bureau
608-266-3561
lynn.emery@legis.state.wi.us

2003 DRAFTING REQUEST

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

Received: **09/12/2003**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **Bob**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

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

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**

Pre Topic:

No specific pre topic given

Topic:

Carrying a concealed weapon while intoxicated

Instructions:

BAC of .08 or higher; include implied consent provisions

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 10/17/2003	kgilfoy 10/20/2003		_____			
/1			chaugen 10/21/2003	_____	sbasford 10/21/2003	sbasford 10/21/2003	

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-^SASA(LRBs0161/3)-SB214)

Received: 09/12/2003

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: David Zien (608) 266-7511

By/Representing: Bob

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Addl. Drafters:

Subject: Criminal Law - guns and weapons
Justice - criminal

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

Pre Topic:

No specific pre topic given

Topic:

Carrying a concealed weapon while intoxicated

Instructions:

BAC of .08 or higher; include implied consent provisions

Same as 939

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/?	mdsida	1-10/20 AMG	Ch 10-20	Ch 10-21 3/4			

FE Sent For:

<END>



**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT (LRBs0161/3),
TO 2003 SENATE BILL 214**

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

2 **1.** Page 9, line 17: after that line insert:

3 “(ab) “Alcohol beverages” has the meaning given in s. 125.02 (1).

4 (abm) “Alcohol concentration” has the meaning given in s. 340.01 (1v).”.

5 **2.** Page 9, line 22: after that line insert:

6 “(ah) “Controlled substance” means a controlled substance, as defined in s.
7 961.01 (4), or a controlled substance analog, as defined in s. 961.01 (4m).”.

8 **3.** Page 10, line 13: after that line insert:

9 “(bq) “Intoxicant” means any alcohol beverage, controlled substance, or other
10 drug, or any combination thereof.”.

11 **4.** Page 11, line 10: after that line insert:

1 “(ig) “Purpose of authorized analysis” means for the purpose of determining or
2 obtaining evidence of the presence, quantity, or concentration of any intoxicant in a
3 person’s blood, breath, or urine.

4 (is) “Test facility” means a test facility or agency prepared to administer tests
5 under s. 343.305 (2).”.

6 **5.** Page 13, line 7: after that line insert:

7 “(2i) PRELIMINARY BREATH SCREENING TEST. (a) *Requirement.* A person shall
8 provide a sample of his or her breath for a preliminary breath screening test if a law
9 enforcement officer has probable cause to believe that the person is violating sub.
10 (16) (cm) 1. and if, prior to an arrest, the law enforcement officer requested that the
11 person provide this sample.

12 (b) *Use of test results.* A law enforcement officer may use the results of a
13 preliminary breath screening test for the purpose of deciding whether or not to arrest
14 a person for a violation of sub. (16) (cm) 1. or for the purpose of deciding whether or
15 not to request a chemical test under sub. (2k). Following the preliminary breath
16 screening test, chemical tests may be required of the person under sub. (2k).

17 (c) *Admissibility.* The result of a preliminary breath screening test is not
18 admissible in any action or proceeding except to show probable cause for an arrest,
19 if the arrest is challenged, or to show that a chemical test was properly required of
20 a person under sub. (2k).

21 (d) *Refusal.* There is no penalty for a violation of par. (a). Neither sub. (17) (b)
22 nor the general penalty provision under s. 939.61 applies to that violation.

23 (2j) IMPLIED CONSENT. Any person who carries a concealed weapon in this state
24 is deemed to have given consent to provide one or more samples of his or her breath,

1 blood, or urine for the purpose of authorized analysis as required under sub. (2k).
2 Any person who carries a concealed weapon in this state is deemed to have given
3 consent to submit to one or more chemical tests of his or her breath, blood, or urine
4 for the purpose of authorized analysis as required under sub. (2k).

5 **(2k) CHEMICAL TESTS.** (a) *Requirement.* 1. ‘Samples; submission to tests.’ A
6 person shall provide one or more samples of his or her breath, blood, or urine for the
7 purpose of authorized analysis if he or she is arrested for a violation of sub. (16) (cm)
8 1. and if he or she is requested to provide the sample by a law enforcement officer.
9 A person shall submit to one or more chemical tests of his or her breath, blood, or
10 urine for the purpose of authorized analysis if he or she is arrested for a violation of
11 sub. (16) (cm) 1. and if he or she is requested to submit to the test by a law
12 enforcement officer.

13 2. ‘Information.’ A law enforcement officer requesting a person to provide a
14 sample or to submit to a chemical test under subd. 1. shall inform the person of all
15 of the following at the time of the request and prior to obtaining the sample or
16 administering the test:

17 a. That he or she is deemed to have consented to tests under sub. (2i).

18 b. That a refusal to provide a sample or to submit to a chemical test constitutes
19 a violation under par. (e) and is subject to the same penalties and procedures as a
20 violation of sub. (16) (cm) 1.

21 c. That in addition to the designated chemical test under par. (b) 2. he or she
22 may have an additional chemical test under par. (c) 1.

23 3. ‘Unconscious person.’ A person who is unconscious or otherwise not capable
24 of withdrawing consent is presumed not to have withdrawn consent under this
25 paragraph, and if a law enforcement officer has probable cause to believe that the

1 person violated sub. (16) (cm) 1., one or more chemical tests may be administered to
2 the person without a request under subd. 1. and without providing information
3 under subd. 2.

4 (b) *Chemical tests.* 1. ‘Test facility.’ Upon the request of a law enforcement
5 officer, a test facility shall administer a chemical test of breath, blood, or urine for
6 the purpose of authorized analysis. A test facility shall be prepared to administer
7 2 of the 3 chemical tests of breath, blood, or urine for the purpose of authorized
8 analysis. The department may enter into agreements for the cooperative use of test
9 facilities.

10 2. ‘Designated chemical test.’ A test facility shall designate one chemical test
11 of breath, blood, or urine which it is prepared to administer first for the purpose of
12 authorized analysis.

13 3. ‘Additional chemical test.’ A test facility shall specify one chemical test of
14 breath, blood, or urine, other than the test designated under subd. 2., which it is
15 prepared to administer for the purpose of authorized analysis as an additional
16 chemical test.

17 4. ‘Validity; procedure.’ A chemical test of blood or urine conducted for the
18 purpose of authorized analysis is valid as provided under s. 343.305 (6). The duties
19 and responsibilities of the laboratory of hygiene, department of health and family
20 services, and department of transportation under s. 343.305 (6) apply to a chemical
21 test of blood or urine conducted for the purpose of authorized analysis under this
22 subsection. Blood may be withdrawn from a person arrested for a violation of sub.
23 (16) (cm) 1. only by a physician, registered nurse, medical technologist, physician
24 assistant, or person acting under the direction of a physician and the person who
25 withdraws the blood, the employer of that person, and any hospital where blood is

1 withdrawn have immunity from civil or criminal liability as provided under s.
2 895.53.

3 5. 'Report.' A test facility which administers a chemical test of breath, blood,
4 or urine for the purpose of authorized analysis under this subsection shall prepare
5 a written report which shall include the findings of the chemical test, the
6 identification of the law enforcement officer or the person who requested a chemical
7 test, and the identification of the person who provided the sample or submitted to the
8 chemical test. The test facility shall transmit a copy of the report to the law
9 enforcement officer and the person who provided the sample or submitted to the
10 chemical test.

11 (c) *Additional and optional chemical tests.* 1. 'Additional chemical test.' If a
12 person is arrested for a violation of sub. (16) (cm) 1. and if the person is requested to
13 provide a sample or to submit to a test under par. (a) 1., the person may request the
14 test facility to administer the additional chemical test specified under par. (b) 3. or,
15 at his or her own expense, reasonable opportunity to have any qualified person
16 administer a chemical test of his or her breath, blood, or urine for the purpose of
17 authorized analysis.

18 2. 'Optional test.' If a person is arrested for a violation of sub. (16) (cm) 1. and
19 if the person is not requested to provide a sample or to submit to a test under par. (a)
20 1., the person may request the test facility to administer a chemical test of his or her
21 breath or, at his or her own expense, reasonable opportunity to have any qualified
22 person administer a chemical test of his or her breath, blood, or urine for the purpose
23 of authorized analysis. If a test facility is unable to perform a chemical test of breath,
24 the person may request the test facility to administer the designated chemical test
25 under par. (b) 2. or the additional chemical test under par. (b) 3.

1 3. 'Compliance with request.' A test facility shall comply with a request under
2 this paragraph to administer any chemical test that it is able to perform.

3 4. 'Inability to obtain chemical test.' The failure or inability of a person to
4 obtain a chemical test at his or her own expense does not preclude the admission of
5 evidence of the results of a chemical test required and administered under pars. (a)
6 and (b).

7 (d) *Admissibility; effect of test results; other evidence.* The results of a chemical
8 test required or administered under par. (a), (b), or (c) are admissible in any civil or
9 criminal action or proceeding arising out of the acts committed by a person alleged
10 to have violated sub. (16) (cm) 1. on the issue of whether the person had alcohol
11 concentrations at or above specified levels or was under the influence of an
12 intoxicant. Results of these chemical tests shall be given the effect required under
13 s. 885.235. This subsection does not limit the right of a law enforcement officer to
14 obtain evidence by any other lawful means.

15 (e) *Refusal.* No person may refuse a lawful request to provide one or more
16 samples of his or her breath, blood, or urine or to submit to one or more chemical tests
17 under par. (a). A person shall not be deemed to refuse to provide a sample or to submit
18 to a chemical test if it is shown by a preponderance of the evidence that the refusal
19 was due to a physical inability to provide the sample or to submit to the test due to
20 a physical disability or disease unrelated to the use of an intoxicant. Issues in any
21 action concerning a violation of par. (a) or this paragraph are limited to:

22 1. Whether the law enforcement officer had probable cause to believe the
23 person was violating or had violated sub. (16) (cm) 1.

24 2. Whether the person was lawfully placed under arrest for violating sub. (16)
25 (cm) 1.

1 3. Whether the law enforcement officer requested the person to provide a
2 sample or to submit to a chemical test and provided the information required under
3 par. (a) 2. or whether the request and information were unnecessary under par. (a)
4 3.

5 4. Whether the person refused to provide a sample or to submit to a chemical
6 test.”.

7 **6.** Page 32, line 18: after that line insert:

8 “(cm) 1. A person may not carry a concealed weapon if any of the following
9 applies:

10 a. The person’s alcohol concentration exceeds 0.08.

11 b. The person is under the influence of an intoxicant to a degree which
12 materially impairs his or her ability to handle the weapon.

13 2. A person may be charged with and a prosecutor may proceed upon a
14 complaint based upon a violation of subd. 1. a. or b. or both for acts arising out of the
15 same incident or occurrence. If the person is charged with violating both subd. 1. a.
16 and b., the offenses shall be joined. Subdivision 1. a. and b. each requires proof of a
17 fact for conviction which the other does not require.”.

18 **7.** Page 32, line 22: before “(16)” insert “(2k) (e) or ”.

19 **8.** Page 37, line 8: after that line insert:

20 “**SECTION 22e.** 885.235 (1g) (intro.) of the statutes is amended to read:

21 885.235 (1g) (intro.) In any action or proceeding in which it is material to prove
22 that a person was under the influence of an intoxicant or had a prohibited alcohol
23 concentration or a specified alcohol concentration while operating or driving a motor
24 vehicle or, if the vehicle is a commercial motor vehicle, on duty time, while operating

1 a motorboat, except a sailboat operating under sail alone, while operating a
2 snowmobile, while operating an all-terrain vehicle, while going armed with a
3 concealed weapon, or while handling a firearm, evidence of the amount of alcohol in
4 the person's blood at the time in question, as shown by chemical analysis of a sample
5 of the person's blood or urine or evidence of the amount of alcohol in the person's
6 breath, is admissible on the issue of whether he or she was under the influence of an
7 intoxicant or had a prohibited alcohol concentration or a specified alcohol
8 concentration if the sample was taken within 3 hours after the event to be proved.
9 The chemical analysis shall be given effect as follows without requiring any expert
10 testimony as to its effect:

11 **SECTION 22j.** 885.235 (1g) (e) of the statutes is created to read:

12 885.235 (1g) (e) In a case brought under s. 175.50 (16) (cm) 1. a. or b., the fact
13 that the analysis shows that the person had an alcohol concentration of more than
14 0.0 but less than 0.08 is relevant evidence on the issue of whether the person was
15 intoxicated or had an alcohol concentration of 0.08 or more but is not to be given any
16 prima facie effect. In a case brought under s. 175.50 (16) (cm) 1. a., the fact that the
17 analysis shows that the person had an alcohol concentration of 0.08 or more is prima
18 facie evidence that he or she had an alcohol concentration of 0.08 or more.”.

19 **9.** Page 38, line 10: after that line insert:

20 “**SECTION 24g.** 941.20 (1) (a) of the statutes is amended to read:

21 941.20 (1) (a) Endangers another's safety by the negligent operation or
22 handling of a dangerous weapon; or

23 **SECTION 24i.** 941.20 (1) (b) of the statutes is amended to read:

0896 - SA1 - SSA1 - SB 214

0899 -

50161/3

CONCEALED WEAPONS SUB. "IN" LIST

JFC ACTION	LRB #	OK?	SUBJECT
Motion 877	1309/1	Yes	Opt-out domestic violence shelters
Motion 876	1309/1	Yes	Opt-out domestic child care facilities
Motion 875	1309/1	Yes	Opt-out places of worship
Motion 892	1398/1	Yes	Licensee info Search on TIME
Motion 878	1309/1	Yes	Opt-out for hospitals
Motion 889	1408/1	Yes	So-called "opt-out" for health care facilities
Motion 811	1399/1	Yes	Cannot carry at universities and related
Motion 895	1282/3	Yes	DOJ access to MH information
Motion 887	1301/3	Yes	5th month effective date
Motion 826	1302/2	Yes	To extent authorized by fed law
Motion 827	1303/1	Yes	Delete \$15 late fee
Motion 890	1306/1	Yes	DOJ rules on financial hardship
Motion 892	1308/1	Yes	Waiting period for exempt LE licensees
Motion 833	1309/1	Yes	30 days to issue license
Motion 835	1311/1	Yes	Registers in probate to share info w DOJ
Motion 839	1315/1	Yes	CCAP notification, delayed E date
Motion 856	1054/2	Yes	Immunity for court officials
Motion 857	1312/1	Yes	"Prompt" instead of "immediate"
Drafted Motion	1105/2	Yes	Public Bldgs May Bar CWs
Drafted Motion	0937/3	Yes	Out-of-state CW license list
Drafted Motion	1056/2	Yes	Elements of firearms training
Drafted Motion	1305/1	Yes	DOJ rules on physical disability
Drafted Motion	0940/1	Yes	Alcohol/intoxicant use

Express into

LRBs 0226/1

SSA 2 to SB 214
Compile List

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~~
~~1309/1~~

2003 DRAFTING REQUEST**Senate Amendment (SA1-SSA1-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**

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****Pre Topic:**

No specific pre topic given

Topic:

Business owner or person in his or her own home prohibiting patrons or visitors from carrying a concealed weapon

Instructions:

Permit them to do so. Person who violates owner's restriction can be prosecuted for trespass, but only if notice is posted and person has been personally warned of the restriction. Immunity for owners who do not prohibit carrying of 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>
/?							
/1	mdsida 10/03/2003	wjackson 10/06/2003	jfrantze 10/06/2003	_____	Inorthro 10/06/2003	Inorthro 10/06/2003	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	mdsida 10/07/2003 mdsida 10/10/2003	wjackson 10/07/2003	pgreensl 10/07/2003	_____	lemery 10/07/2003	lemery 10/07/2003	
/3		wjackson 10/10/2003	rschluet 10/10/2003	_____	lnorthro 10/10/2003	lnorthro 10/10/2003	

FE Sent For:

<END>

**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:

1 943.13 (3) Whoever erects on the land of another signs which are the same as
2 or similar to those described in sub. (2) (am) without obtaining the express consent
3 of the lawful occupant of or holder of legal title to such land is subject to a Class C
4 forfeiture.”.

5

(END)

0896

0899

SA 2 - SSA1-SB 214

50161/3

CONCEALED WEAPONS SUB. "IN" LIST

JFC ACTION	LRB #	OK?	SUBJECT
Motion 877	1301/1	Yes	Opt-out domestic violence shelters
Motion 876	1302/1	Yes	Opt-out domestic child care facilities
Motion 875	1303/1	Yes	Opt-out pieces 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 832	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.

~~1301/1~~
~~1302/1~~
~~1303/1~~

Express into

LRBs 0226/1

SSA 2 to SB 214
Compile
Comp List

2003 DRAFTING REQUEST**Senate Amendment (SA2-SSA1-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**

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>

**SENATE AMENDMENT 2,
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 “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.”.

