

## 2005 ASSEMBLY BILL 586

August 2, 2005 – Introduced by Representatives GUNDERSON, MOULTON, MUSSER, PETTIS, BIES, HINES, KESTELL, KRAWCZYK, LEHMAN, MONTGOMERY, OTT, SUDER, TOWNSEND, TURNER, VOS, VRUWINK and M. WILLIAMS, cosponsored by Senators ZIEN, REYNOLDS, DECKER and BRESKE. Referred to Committee on Natural Resources.

1     **AN ACT to renumber** 29.304 (5); **to renumber and amend** 29.304 (1) (b); **to**  
2     **amend** 29.184 (1) (b), 29.184 (5) (a), 29.184 (6) (b) 1., 29.304 (1) (a), 29.304 (1)  
3     (c), 29.304 (2) (title), 29.304 (2) (a), 29.304 (2) (b) (intro.), 29.304 (2) (b) 1., 29.304  
4     (2) (b) 2., 29.304 (3) (title), 29.304 (3) (a) (intro.), 29.304 (3) (a) 1., 29.304 (3) (a)  
5     2., 29.304 (3) (b) (intro.), 29.304 (3) (b) 1., 29.304 (3) (b) 2., 29.304 (3) (b) 3.,  
6     29.304 (5) (title), 29.563 (2) (a) 4., 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563  
7     (4) (b) 1m., 29.563 (4) (b) 2m., 29.593 (1) (a), 169.20 (1) (a), 169.20 (2) (a) and  
8     169.33 (2) (d); and **to create** 29.304 (1) (am), 29.304 (1) (b) 2., 29.304 (5) (am),  
9     29.304 (5) (b) and 29.593 (1m) of the statutes; **relating to:** hunting and firearm  
10     possession by persons who are under 16 years of age.

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### ***Analysis by the Legislative Reference Bureau***

Current law generally prohibits hunting and firearm possession by any person under the age of 12. For persons who are older than 12 but under the age of 16, current law allows hunting and firearm possession but imposes certain restrictions that vary depending on the person's age. This bill makes various changes to the laws regulating hunting and firearm possession and control by persons under the age of 16.

**ASSEMBLY BILL 586*****Accompaniment by parent or guardian***

Under current law, a person who is older than 12 but under the age of 16 may hunt or have a firearm in his or her possession or control if the person is accompanied by a parent or guardian and if he or she meets certain other requirements. This bill specifies that such a person may also hunt or have a firearm in his or her possession or control if the person is accompanied by a person who is at least 18 years old and who has been designated by the person's parent or guardian (designee).

***Hunting by 10- and 11-year-olds***

This bill also changes the minimum age for hunting from 12 years of age to 10 years of age and imposes certain additional restrictions on hunting by 10- and 11-year-olds. Under this bill, a person who is 10 or 11 years old may not hunt unless that person is within arm's reach of his or her parent or guardian or a designee; the parent, guardian, or designee holds a current hunting approval of the type held by the 10- or 11-year-old, and the parent, guardian, or designee has successfully completed the course of instruction under the hunter education program issued by this state, another state, a province, or another country. The bill specifies that the 10-year-old or 11-year-old, and the parent, guardian, or designee with whom he or she is hunting, may jointly have only one firearm, one bow, or one crossbow in their possession or control while hunting.

***Firearm possession and control by 10- and 11-year-olds***

This bill also changes the minimum age for firearm possession from 12 years of age to 10 years of age. Under current law, a 12- or 13-year-old may not have a firearm in his or her possession or control unless he or she is accompanied by a parent or guardian or is enrolled in hunter education class and is carrying an unloaded firearm in a case to or from that class or is handling it under the supervision of the class instructor. Under this bill, a person who is 10 or 11 years old may not possess or control a firearm unless he or she is hunting within arm's reach of his or her parent or guardian or a designee or he or she is possessing or controlling the firearm in the same manner specified under the current law restrictions applicable to 12- and 13-year-olds.

***Target practice***

This bill also provides that the restrictions on possession and control of a firearm by persons who are under the age of 12 do not apply to a person who uses a firearm in target practice if he or she is accompanied by his or her parent or guardian or a designee.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 29.184 (1) (b) of the statutes is amended to read:

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1           29.184 (1) (b) “Minor” means a person who is at least ~~12~~ 10 years of age but  
2 under 18 years of age.

3           **SECTION 2.** 29.184 (5) (a) of the statutes is amended to read:

4           29.184 (5) (a) A person under the age of ~~12~~ 10 years may engage in the activities  
5 authorized under sub. (3) (br) 1. to 3. without holding a Class B bear license.

6           **SECTION 3.** 29.184 (6) (b) 1. of the statutes is amended to read:

7           29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old.

8           **SECTION 4.** 29.304 (1) (a) of the statutes is amended to read:

9           29.304 (1) (a) *Prohibition on hunting.* No person under ~~12~~ 10 years of age may  
10 hunt with a firearm ~~or, a bow and arrow, or a crossbow.~~

11           **SECTION 5.** 29.304 (1) (am) of the statutes is created to read:

12           29.304 (1) (am) *Restrictions on hunting by persons 10 or 11 years of age.* 1. No  
13 person who is 10 or 11 years of age may hunt unless he or she is within arm’s reach  
14 of his or her parent or guardian or a person at least 18 years of age who is designated  
15 by the parent or guardian; the parent, guardian, or designee holds a current hunting  
16 approval of the type held by the person who is 10 or 11 years of age; and the parent,  
17 guardian, or designee has been issued a certificate of accomplishment that states  
18 that the parent, guardian, or designee has completed the course of instruction under  
19 the hunter education program or has received a similar certificate issued by another  
20 state, province, or country.

21           2. A person who is 10 or 11 years of age and the parent, guardian, or designee  
22 with whom that person hunts under subd. 1. may jointly have only one firearm, only  
23 one bow or, if hunting with a crossbow is authorized under s. 29.171 (4) or 29.193 (2),  
24 only one crossbow in their possession or control while hunting.

**ASSEMBLY BILL 586****SECTION 6**

1           **SECTION 6.** 29.304 (1) (b) of the statutes is renumbered 29.304 (1) (b) (intro.)  
2 and amended to read:

3           29.304 **(1)** (b) (intro.) *Restrictions on possession or control of a firearm.* No  
4 person under 12 years of age may have in his or her possession or control any firearm  
5 unless ~~he or she is~~ any of the following applies:

6           1. He or she is enrolled in the course of instruction under the hunter education  
7 program and he or she is carrying the firearm in a case and unloaded to or from that  
8 class under the supervision of ~~a~~ his or her parent or guardian, or by a person at least  
9 18 years of age who is designated by the parent or guardian, or is handling or  
10 operating the firearm during that class under the supervision of an instructor.

11           **SECTION 7.** 29.304 (1) (b) 2. of the statutes is created to read:

12           29.304 **(1)** (b) 2. He or she is 10 or 11 years of age and is hunting with his or her  
13 parent or guardian or by a person at least 18 years of age who is designated by the  
14 parent or guardian as provided under par. (am).

15           **SECTION 8.** 29.304 (1) (c) of the statutes is amended to read:

16           29.304 **(1)** (c) *Restrictions on obtaining hunting approval.* Except as provided  
17 under par. (d), no person under ~~12~~ 10 years of age may obtain any approval  
18 authorizing hunting.

19           **SECTION 9.** 29.304 (2) (title) of the statutes is amended to read:

20           29.304 **(2)** (title) PERSONS ~~12 TO 14~~ AND 13 YEARS OF AGE.

21           **SECTION 10.** 29.304 (2) (a) of the statutes is amended to read:

22           29.304 **(2)** (a) *Restrictions on hunting.* No person 12 years of age or older but  
23 under 14 years of age may hunt unless he or she is accompanied by ~~a~~ his or her  
24 parent or guardian or by a person at least 18 years of age who is designated by the  
25 parent or guardian.

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1           **SECTION 11.** 29.304 (2) (b) (intro.) of the statutes is amended to read:

2           29.304 **(2)** (b) *Restrictions on possession or control of a firearm.* (intro.) No  
3 person 12 years of age or older but under 14 years of age may have in his or her  
4 possession or control any firearm unless ~~he or she~~ any of the following apply:

5           **SECTION 12.** 29.304 (2) (b) 1. of the statutes is amended to read:

6           29.304 **(2)** (b) 1. Is He or she is accompanied by ~~a~~ his or her parent or guardian  
7 or by a person at least 18 years of age who is designated by the parent or guardian;  
8 ~~or,~~

9           **SECTION 13.** 29.304 (2) (b) 2. of the statutes is amended to read:

10           29.304 **(2)** (b) 2. Is He or she is enrolled in the course of instruction under the  
11 hunter education program and is carrying the firearm in a case and unloaded to or  
12 from that class or is handling or operating the firearm during that class under the  
13 supervision of an instructor.

14           **SECTION 14.** 29.304 (3) (title) of the statutes is amended to read:

15           29.304 **(3)** (title) PERSONS 14 TO 16 AND 15 YEARS OF AGE.

16           **SECTION 15.** 29.304 (3) (a) (intro.) of the statutes is amended to read:

17           29.304 **(3)** (a) *Restrictions on hunting.* (intro.) No person 14 years of age or  
18 older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

19           **SECTION 16.** 29.304 (3) (a) 1. of the statutes is amended to read:

20           29.304 **(3)** (a) 1. Is He or she is accompanied by ~~a~~ his or her parent or guardian  
21 or by a person at least 18 years of age who is designated by the parent or guardian;  
22 ~~or,~~

23           **SECTION 17.** 29.304 (3) (a) 2. of the statutes is amended to read:

24           29.304 **(3)** (a) 2. Is He or she is issued a certificate of accomplishment that states  
25 that he or she successfully completed the course of instruction under the hunter

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1 education program or has a similar certificate issued by another state or province,  
2 or country.

3 **SECTION 18.** 29.304 (3) (b) (intro.) of the statutes is amended to read:

4 29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No  
5 person 14 years of age or older but under 16 years of age may have in his or her  
6 possession or control any firearm unless ~~he or she~~ any of the following apply:

7 **SECTION 19.** 29.304 (3) (b) 1. of the statutes is amended to read:

8 29.304 (3) (b) 1. ~~Is He or she is~~ accompanied by ~~a~~ his or her parent or guardian  
9 or by a person at least 18 years of age who is designated by the parent or guardian.

10 **SECTION 20.** 29.304 (3) (b) 2. of the statutes is amended to read:

11 29.304 (3) (b) 2. ~~Is He or she is~~ enrolled in the course of instruction under the  
12 hunter education program and is carrying the firearm in a case and unloaded to or  
13 from that class or is handling or operating the firearm during that class under the  
14 supervision of an instructor; ~~or.~~

15 **SECTION 21.** 29.304 (3) (b) 3. of the statutes is amended to read:

16 29.304 (3) (b) 3. ~~Is He or she is~~ issued a certificate of accomplishment that states  
17 that he or she completed the course of instruction under the hunter education  
18 program or has a similar certificate issued by another state or province, or country.

19 **SECTION 22.** 29.304 (5) (title) of the statutes is amended to read:

20 29.304 (5) (title) ~~EXCEPTION~~ EXCEPTIONS.

21 **SECTION 23.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a).

22 **SECTION 24.** 29.304 (5) (am) of the statutes is created to read:

23 29.304 (5) (am) Notwithstanding subs. (1) to (3), a person 10 years of age or  
24 older may hunt with a crossbow on land under the ownership of the person or the  
25 person's family if no license is required and the person is eligible for a crossbow

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1 permit under s. 29.171 (4) or a Class A, Class B, or Class C permit under s. 29.193  
2 (2) (c).

3 **SECTION 25.** 29.304 (5) (b) of the statutes is created to read:

4 29.304 (5) (b) The restrictions on the possession and control of a firearm under  
5 sub. (1) (b) do not apply to a person using a firearm in target practice if he or she is  
6 accompanied by his or her parent or guardian or by a person at least 18 years of age  
7 who is designated by the parent or guardian.

8 **SECTION 26.** 29.563 (2) (a) 4. of the statutes is amended to read:

9 29.563 (2) (a) 4. Small game issued to ~~12-year-olds~~ 10-year-olds to  
10 17-year-olds: \$7.25.

11 **SECTION 27.** 29.563 (4) (a) 1m. of the statutes is amended to read:

12 29.563 (4) (a) 1m. Sports issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds:  
13 \$33.25 or a greater amount at the applicant's option.

14 **SECTION 28.** 29.563 (4) (a) 2m. of the statutes is amended to read:

15 29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds~~ 10-year-olds  
16 to 17-year-olds: \$72.25 or a greater amount at the applicant's option.

17 **SECTION 29.** 29.563 (4) (b) 1m. of the statutes is amended to read:

18 29.563 (4) (b) 1m. Sports issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds:  
19 \$33.25 or a greater amount at the applicant's option.

20 **SECTION 30.** 29.563 (4) (b) 2m. of the statutes is amended to read:

21 29.563 (4) (b) 2m. Conservation patron issued to ~~12-year-olds~~ 10-year-olds  
22 to 17-year-olds: \$72.25 or a greater amount at the applicant's option.

23 **SECTION 31.** 29.593 (1) (a) of the statutes is amended to read:

