

Per Mike in Gunderson's office:

Redraft - 0890

Take out SECTION 9 (on pg. 4)

Also- incorporate provision in AB109 that allows child to shoot w/ parent or guardian w/ target shooting on parent's land or at a range

SECTION ~~23~~ 23 of 05 Bill?

Per Rep Gunderson -

wants to allow a child of any age to target shoot w/ parent or designee
had nothing to do w/ hunting

Sec: 948.60(3)(a)



(soon)

State of Wisconsin
2005 - 2006 LEGISLATURE

3
LRB-0890/2
RNK:lmk&jld:rs

↙
keep

2005 BILL

(regen. cat)

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

Analysis by the Legislative Reference Bureau

Under current law, no person under 12 years of age may hunt with a firearm or bow and arrow. This bill changes the minimum age for hunting to ten years of age, under certain circumstances. The bill provides that a person who is 10 or 11 years old may only hunt if he or she is within arm's reach of his or her parent or guardian, if the parent or guardian holds a current hunting approval of the type held by the

BILL

10-year-old or 11-year-old, and if the parent or guardian has been issued a certificate of accomplishment stating that the parent or guardian has successfully completed the course of instruction under the hunter education program issued by this state or another state. The bill specifies that the 10-year-old or 11-year-old, and the parent or guardian with whom he or she is hunting, may jointly have only one firearm or one bow in their possession or control while hunting.

Current law also imposes certain restrictions on firearm possession and control by persons who are under 16 years of age. Those restrictions vary depending on the person's age. This bill provides that a 10-year-old or 11-year-old may possess or control a firearm only if he or she is hunting within arm's reach of his or her parent or guardian or is enrolled in a hunter education course and possesses or controls the firearm in order to carry it to or from the course or to participate in the course.

Current law requires minors who are under 16 years old to be accompanied by a parent or guardian under certain circumstances when hunting or possessing a firearm. This bill provides that for these minors, except for 10-year-old or 11-year-old hunters, the parent or guardian may designate another person who is at least 18 years old to accompany the minor under these circumstances.

For further information see the *state* 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:

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

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

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

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

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

8 29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old.

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

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

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

The bill also provides that the restrictions on possession and control of a firearm 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 by a person who is at least 18 years ^{old} who is designated by the parent or ^{guardian or} guardian.

BILL

1 29.304 (1) (am) *Restrictions on hunting by persons 10 or 11 years of age.* 1. No
2 person who is 10 or 11 years of age may hunt unless he or she is within arm's reach
3 of his or her parent or guardian, the parent or guardian holds a current hunting
4 approval of the type held by the person who is 10 or 11 years of age, and the parent
5 or guardian has been issued a certificate of accomplishment that states that the
6 parent or guardian has completed the course of instruction under the hunter
7 education program or has received a similar certificate issued by another state or
8 province.

9 2. A person who is 10 or 11 years of age and the parent or guardian with whom
10 that person hunts under subd. 1. may jointly have only one firearm or only one bow
11 in their possession or control while hunting.

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

14 29.304 (1) (b) (intro.) *Restrictions on possession or control of a firearm.* No
15 person under 12 years of age may have in his or her possession or control any firearm
16 unless ~~he or she is~~ any of the following applies:

17 1. He or she is enrolled in the course of instruction under the hunter education
18 program and he or she is carrying the firearm in a case and unloaded to or from that
19 class under the supervision of ~~a~~ his or her parent or guardian, or by a person at least
20 18 years of age who is designated by the parent or guardian, or is handling or
21 operating the firearm during that class under the supervision of an instructor.

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

23 29.304 (1) (b) 2. He or she is 10 or 11 years of age and is hunting with his or her
24 parent or guardian as provided under par. (am).

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

BILL

SECTION 8

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

4 **SECTION 9.** 29.304 (1) (d) of the statutes is amended to read:

5 29.304 (1) (d) *Restrictions on validity of certificate of accomplishment.* A person
6 under 12 years of age may obtain a certificate of accomplishment if he or she complies
7 with the requirements of s. 29.591 (4) but that certificate is not valid for the hunting
8 of small game until that person becomes ~~12~~ 10 years of age.

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

10 29.304 (2) (title) PERSONS ~~12 TO 14~~ AND 13 YEARS OF AGE.

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

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

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

17 29.304 (2) (b) *Restrictions on possession or control of a firearm.* (intro.) No
18 person 12 years of age or older but under 14 years of age may have in his or her
19 possession or control any firearm unless ~~he or she~~ any of the following apply:

20 **SECTION 13.** 29.304 (2) (b) 1. of the statutes is amended to read:

21 29.304 (2) (b) 1. Is He or she is accompanied by ~~a~~ his or her parent or guardian
22 or by a person at least 18 years of age who is designated by the parent or guardian;
23 or,

24 **SECTION 14.** 29.304 (2) (b) 2. of the statutes is amended to read:

BILL

1 29.304 (2) (b) 2. Is He or she is enrolled in the course of instruction under the
2 hunter education program and is carrying the firearm in a case and unloaded to or
3 from that class or is handling or operating the firearm during that class under the
4 supervision of an instructor.

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

6 29.304 (3) (title) PERSONS 14 TO 16 AND 15 YEARS OF AGE.

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

8 29.304 (3) (a) *Restrictions on hunting.* (intro.) No person 14 years of age or
9 older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

10 **SECTION 17.** 29.304 (3) (a) 1. of the statutes is amended to read:

11 29.304 (3) (a) 1. Is He or she is accompanied by ~~a~~ his or her parent or guardian
12 or by a person at least 18 years of age who is designated by the parent or guardian;
13 or.

14 **SECTION 18.** 29.304 (3) (a) 2. of the statutes is amended to read:

15 29.304 (3) (a) 2. Is He or she is issued a certificate of accomplishment that states
16 that he or she successfully completed the course of instruction under the hunter
17 education program or has a similar certificate issued by another state or province.

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

19 29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No
20 person 14 years of age or older but under 16 years of age may have in his or her
21 possession or control any firearm unless ~~he or she~~ any of the following apply:

22 **SECTION 20.** 29.304 (3) (b) 1. of the statutes is amended to read:

23 29.304 (3) (b) 1. Is He or she is accompanied by ~~a~~ his or her parent or guardian
24 or by a person at least 18 years of age who is designated by the parent or guardian;

25 **SECTION 21.** 29.304 (3) (b) 2. of the statutes is amended to read:

BILL

SECTION 21

1 29.304 (3) (b) 2. Is He or she is enrolled in the course of instruction under the
2 hunter education program and is carrying the firearm in a case and unloaded to or
3 from that class or is handling or operating the firearm during that class under the
4 supervision of an instructor; ~~or,~~

5 **SECTION 22.** 29.304 (3) (b) 3. of the statutes is amended to read:

6 29.304 (3) (b) 3. Is He or she is issued a certificate of accomplishment that states
7 that he or she completed the course of instruction under the hunter education
8 program or has a similar certificate issued by another state or province.

9 **SECTION 23.** 29.304 (5) of the statutes is amended to read:

10 29.304 (5) EXCEPTION. Notwithstanding subs. (1) to (3), a person ~~12~~ 10 years
11 of age or older may possess or control a firearm and may hunt with a firearm or bow
12 and arrow on land under the ownership of the person or the person's family if no
13 license is required and if the firing of firearms is permitted on that land.

14 **SECTION 24.** 29.563 (2) (a) 4. of the statutes is amended to read:

15 29.563 (2) (a) 4. Small game issued to ~~12-year-olds~~ 10-year-olds to
16 17-year-olds: \$7.25.

17 **SECTION 25.** 29.563 (4) (a) 1m. of the statutes is amended to read:

18 29.563 (4) (a) 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 26.** 29.563 (4) (a) 2m. of the statutes is amended to read:

21 29.563 (4) (a) 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 27.** 29.563 (4) (b) 1m. of the statutes is amended to read:

24 29.563 (4) (b) 1m. Sports issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds:
25 \$33.25 or a greater amount at the applicant's option.

BILL

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

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

4 **SECTION 29.** 29.593 (1) (a) of the statutes is amended to read:

5 29.593 (1) (a) Except as provided under subs. (1m), (2), (2m) and (3), no person
6 born on or after January 1, 1973, may obtain any approval authorizing hunting
7 unless the person is issued a certificate of accomplishment under s. 29.591.

8 **SECTION 30.** 29.593 (1m) of the statutes is created to read:

9 29.593 (1m) A person who is 10 or 11 years of age may obtain an approval
10 authorizing hunting without having been issued a certificate of accomplishment
11 under s. 29.591 but that approval is valid only when the 10-year-old or 11-year-old
12 hunts in compliance with s. 29.304 (1) (am).

13 **SECTION 31.** 169.20 (1) (a) of the statutes is amended to read:

14 169.20 (1) (a) The department shall issue a bird dog training license to any
15 individual who is at least ~~12~~ 10 years of age who files a proper application and who
16 pays the applicable fee.

17 **SECTION 32.** 169.20 (2) (a) of the statutes is amended to read:

18 169.20 (2) (a) The department shall issue a hound dog training license to any
19 individual who is at least ~~12~~ 10 years of age who files a proper application and who
20 pays the applicable fee.

21 **SECTION 33.** 169.33 (2) (d) of the statutes is amended to read:

22 169.33 (2) (d) An individual who applies for a bird dog training license or a
23 hound dog training license shall be at least ~~12~~ 10 years of age.

24

(END)

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0890/3ins.
RNK:.....

Insert 6-13

X
SECTION 1. 29.304 (5) (title) of the statutes is amended to read:

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

X
History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 2. 29.304 (5) of the statutes is renumbered 29.304 (5) (a) and amended to read:

29.304 (5) (a) EXCEPTION. Notwithstanding subs. (1) to (3), a person ~~12~~ 10 years of age or older may possess or control a firearm and may hunt with a firearm or bow and arrow on land under the ownership of the person or the person's family if no license is required and if the firing of firearms is permitted on that land.

X
History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

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

29.304 (5) (b) The restrictions on the possession and control of a firearm under subs. (1) (b), (2) (b), and (3) (b) do not apply to a person using a firearm in target practice if he or she is accompanied by his or her parent or guardian or by a person at least 18 years of age who is designated by the parent or guardian.

Basford, Sarah

From: Bruhn, Mike
Sent: Tuesday, March 08, 2005 5:29 PM
To: LRB.Legal
Subject: Draft review: LRB 05-0890/3 Topic: Hunting by 10 and 11 year olds

It has been requested by <Bruhn, Mike> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0890/3 Topic: Hunting by 10 and 11 year olds

Per Mike:

Redraft instructions

pg 3 line 2 add "or crossbow" ✓

pg 6 line 12 - refer to crossbow if authorized
29.171(4) 29.193(2)

pg 3, line 11 - add "or country" ✓

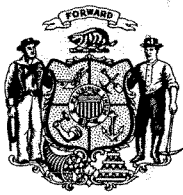
pg 3, line 13 - add "or crossbow" ✓

~~pg 4 - Section 8 -
is a rep~~

pg 5, line 15 - add "or country" ✓

pg 6, line 6 - " ✓

pg 6, lines 12 etc -
or crossbow as authorized & cross-ref-



80m
State of Wisconsin
2005 - 2006 LEGISLATURE

RM run
4
LRB-0890/3
RNK:lmk&jld:rs

Keep

2005 BILL

regen cat

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

Analysis by the Legislative Reference Bureau

Under current law, no person under 12 years of age may hunt with a firearm or bow and arrow. This bill changes the minimum age for hunting to ten years of age, under certain circumstances. The bill provides that a person who is 10 or 11 years old may only hunt if he or she is within arm's reach of his or her parent or guardian, if the parent or guardian holds a current hunting approval of the type held by the

BILL

*not one crossbow
A province, or another country*

10-year-old or 11-year-old, and if the parent or guardian has been issued a certificate of accomplishment stating that the parent or guardian has successfully completed the course of instruction under the hunter education program issued by this state or another state. The bill specifies that the 10-year-old or 11-year-old, and the parent or guardian with whom he or she is hunting, may jointly have only one firearm, or one bow, in their possession or control while hunting.

Current law also imposes certain restrictions on firearm possession and control by persons who are under 16 years of age. Those restrictions vary depending on the person's age. This bill provides that a 10-year-old or 11-year-old may possess or control a firearm only if he or she is hunting within arm's reach of his or her parent or guardian or is enrolled in a hunter education course and possesses or controls the firearm in order to carry it to or from the course or to participate in the course.

Current law requires minors who are under 16 years old to be accompanied by a parent or guardian under certain circumstances when hunting or possessing a firearm. This bill provides that for these minors, except for 10-year-old or 11-year-old hunters, the parent or guardian may designate another person who is at least 18 years old to accompany the minor under these circumstances.

The bill also provides that the restrictions on possession and control of a firearm 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 by a person who is at least 18 years old who is designated by the parent or guardian.

For further information see the *state* 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. 29.184 (1) (b) of the statutes is amended to read:

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

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

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

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

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

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

*Insert
Analysis*

BILL

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

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

4 29.304 (1) (am) *Restrictions on hunting by persons 10 or 11 years of age.* 1. No
5 person who is 10 or 11 years of age may hunt unless he or she is within arm's reach
6 of his or her parent or guardian, the parent or guardian holds a current hunting
7 approval of the type held by the person who is 10 or 11 years of age, and the parent
8 or guardian has been issued a certificate of accomplishment that states that the
9 parent or guardian has completed the course of instruction under the hunter
10 education program or has received a similar certificate issued by another state ~~or~~
11 ^{or} province. or country

12 2. A person who is 10 or 11 years of age and the parent or guardian with whom
13 that person hunts under subd. 1. may jointly have only one firearm ~~or~~ ^{or} only one bow
14 in their possession or control while hunting. ^{or, if hunting with a crossbow is authorized under}
50 29.171(4) or 29.193(2), only one
crossbow

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

17 29.304 (1) (b) (intro.) *Restrictions on possession or control of a firearm.* No
18 person under 12 years of age may have in his or her possession or control any firearm
19 unless ~~he or she is~~ any of the following applies:

20 1. He or she is enrolled in the course of instruction under the hunter education
21 program and he or she is carrying the firearm in a case and unloaded to or from that
22 class under the supervision of ~~a~~ his or her parent or guardian, or by a person at least
23 18 years of age who is designated by the parent or guardian, or is handling or
24 operating the firearm during that class under the supervision of an instructor.

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

BILL**SECTION 7**

1 29.304 (1) (b) 2. He or she is 10 or 11 years of age and is hunting with his or her
2 parent or guardian as provided under par. (am).

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

4 29.304 (1) (c) *Restrictions on obtaining hunting approval.* Except as provided
5 under par. (d), no person under ~~12~~ 10 years of age may obtain any approval
6 authorizing hunting.

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

8 29.304 (2) (title) ~~PERSONS 12 TO 14~~ AND 13 YEARS OF AGE.

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

10 29.304 (2) (a) *Restrictions on hunting.* No person 12 years of age or older but
11 under 14 years of age may hunt unless he or she is accompanied by ~~a~~ his or her
12 parent or guardian or by a person at least 18 years of age who is designated by the
13 parent or guardian.

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

15 29.304 (2) (b) *Restrictions on possession or control of a firearm.* (intro.) No
16 person 12 years of age or older but under 14 years of age may have in his or her
17 possession or control any firearm unless ~~he or she~~ any of the following apply:

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

19 29.304 (2) (b) 1. ~~Is He or she is~~ accompanied by ~~a~~ his or her parent or guardian
20 or by a person at least 18 years of age who is designated by the parent or guardian;
21 ~~or.~~

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

23 29.304 (2) (b) 2. ~~Is He or she is~~ enrolled in the course of instruction under the
24 hunter education program and is carrying the firearm in a case and unloaded to or

BILL

1 from that class or is handling or operating the firearm during that class under the
2 supervision of an instructor.

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

4 29.304 (3) (title) PERSONS 14 TO 16 AND 15 YEARS OF AGE.

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

6 29.304 (3) (a) *Restrictions on hunting.* (intro.) No person 14 years of age or
7 older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

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

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

↑ or country

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

13 29.304 (3) (a) 2. ~~Is He or she~~ is issued a certificate of accomplishment that states
14 that he or she successfully completed the course of instruction under the hunter
15 education program or has a similar certificate issued by another state ^{or} province.

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

17 29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No
18 person 14 years of age or older but under 16 years of age may have in his or her
19 possession or control any firearm unless ~~he or she~~ any of the following apply:

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

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

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

24 29.304 (3) (b) 2. ~~Is He or she~~ is enrolled in the course of instruction under the
25 hunter education program and is carrying the firearm in a case and unloaded to or

BILL

1 from that class or is handling or operating the firearm during that class under the
2 supervision of an instructor; ~~or~~.

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

4 29.304 (3) (b) 3. Is He or she issued a certificate of accomplishment that states
5 that he or she completed the course of instruction under the hunter education
6 program or has a similar certificate issued by another state ~~or province~~ ² or country

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

8 29.304 (5) (title) ~~EXCEPTION~~ EXCEPTIONS.

9 **SECTION 23.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a) and
10 amended to read:

11 29.304 (5) (a) Notwithstanding subs. (1) to (3), a person ~~12~~ 10 years of age or
12 older may possess or control a firearm and may hunt with a firearm or bow and arrow
13 on land under the ownership of the person or the person's family if no license is
14 required and if the firing of firearms is permitted on that land.

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

16 29.304 (5) (b) The restrictions on the possession and control of a firearm under
17 subs. (1) (b), (2) (b), and (3) (b) do not apply to a person using a firearm in target
18 practice if he or she is accompanied by his or her parent or guardian or by a person
19 at least 18 years of age who is designated by the parent or guardian.

20 **SECTION 25.** 29.563 (2) (a) 4. of the statutes is amended to read:

21 29.563 (2) (a) 4. Small game issued to ~~12-year-olds~~ 10-year-olds to
22 17-year-olds: \$7.25.

23 **SECTION 26.** 29.563 (4) (a) 1m. of the statutes is amended to read:

24 29.563 (4) (a) 1m. Sports issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds:
25 \$33.25 or a greater amount at the applicant's option.

insert
6-14

BILL

1 **SECTION 27.** 29.563 (4) (a) 2m. of the statutes is amended to read:

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

4 **SECTION 28.** 29.563 (4) (b) 1m. of the statutes is amended to read:

5 29.563 (4) (b) 1m. Sports issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds:
6 \$33.25 or a greater amount at the applicant's option.

7 **SECTION 29.** 29.563 (4) (b) 2m. of the statutes is amended to read:

8 29.563 (4) (b) 2m. Conservation patron issued to ~~12-year-olds~~ 10-year-olds
9 to 17-year-olds: \$72.25 or a greater amount at the applicant's option.

10 **SECTION 30.** 29.593 (1) (a) of the statutes is amended to read:

11 29.593 (1) (a) Except as provided under subs. (1m), (2), (2m) and (3), no person
12 born on or after January 1, 1973, may obtain any approval authorizing hunting
13 unless the person is issued a certificate of accomplishment under s. 29.591.

14 **SECTION 31.** 29.593 (1m) of the statutes is created to read:

15 29.593 (1m) A person who is 10 or 11 years of age may obtain an approval
16 authorizing hunting without having been issued a certificate of accomplishment
17 under s. 29.591 but that approval is valid only when the 10-year-old or 11-year-old
18 hunts in compliance with s. 29.304 (1) (am).

19 **SECTION 32.** 169.20 (1) (a) of the statutes is amended to read:

20 169.20 (1) (a) The department shall issue a bird dog training license to any
21 individual who is at least ~~12~~ 10 years of age who files a proper application and who
22 pays the applicable fee.

23 **SECTION 33.** 169.20 (2) (a) of the statutes is amended to read:

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0890/4ins.
RNK:.....

INSERT ANALYSIS

9 Under current law, *for* the restrictions on the possession and control of a firearm *contains an exception to* do not apply to a person who is 12 years of age or older if the person hunts with a firearm or bow and arrow on land under that person's ownership or the ownership of the person's family, if no license is required, and if the firing of a firearm is allowed on that land. This bill expands this exception so that *the exception* it also applies to a person who is 10 or 11 years of age and to a person *qualified to hunt* lawfully hunting with a crossbow under certain circumstances.

INSERT 6-14

person
if the otherwise meets the requirements for the exception
SECTION 1. 29.304 (5) (am) of the statutes is created to read:

29.304 (5) (am) Notwithstanding subs. (1) to (3), a person 10 years of age or older may hunt with a crossbow on land under the ownership of the person or the person's family if no license is required and the person is eligible for a crossbow permit under s. 29.171 (4) or a Class A, Class B, or Class C permit under s. 29.193 (2)(c).

6-3-05

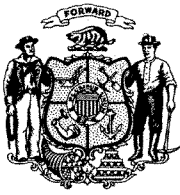
LRB-0890

Per Mike in Gunderson's office

Redraft instructions:

Pg 3, line 10 - make clear that child must be
within arm's reach of parent or guardian or
person designated by parent or guardian

Pg 6, line 18 - take out sections 23 + 24 -
i.e. - leave current law re: hunting on
one's own land



↑
keep

2005 ASSEMBLY BILL

regen. cat.

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

Analysis by the Legislative Reference Bureau

~~Under current law, no person under 12 years of age may hunt with a firearm or bow and arrow. This bill changes the minimum age for hunting to ten years of age, under certain circumstances. The bill provides that a person who is 10 or 11 years old may only hunt if he or she is within arm's reach of his or her parent or guardian, if the parent or guardian holds a current hunting approval of the type held by the~~

ASSEMBLY BILL

~~10-year-old or 11-year-old, and if the parent or guardian has been issued a certificate of accomplishment stating that the parent or guardian 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 or guardian 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.~~

Current law also imposes certain restrictions on firearm possession and control by persons who are under 16 years of age. Those restrictions vary depending on the person's age. This bill provides that a 10-year-old or 11-year-old may possess or control a firearm only if he or she is hunting within arm's reach of his or her parent, or guardian or is enrolled in a hunter education course and possesses or controls the firearm in order to carry it to or from the course or to participate in the course.

Current law requires minors who are under 16 years old to be accompanied by a parent or guardian under certain circumstances when hunting or possessing a firearm. This bill provides that for these minors, except for 10-year-old or 11-year-old hunters, the parent or guardian may designate another person who is at least 18 years old to accompany the minor under these circumstances. (designee)

Current law contains an exception to the restrictions on the possession and control of a firearm for a person who is 12 years of age or older if the person hunts with a firearm or bow and arrow on land under that person's ownership or the ownership of the person's family, if no license is required, and if the firing of a firearm is allowed on that land. This bill expands this exception so that the exception also applies to a person who is 10 or 11 years of age and to a person qualified to hunt with a crossbow if the person otherwise meets the requirements for the exception. The bill also provides that the restrictions on possession and control of a firearm 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 by a person who is at least 18 years old who is designated by the parent or guardian. (designee)

For further information see the *state* 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:

- 1 **SECTION 1.** 29.184 (1) (b) of the statutes is amended to read:
- 2 29.184 (1) (b) "Minor" means a person who is at least ~~12~~ 10 years of age but
- 3 under 18 years of age.
- 4 **SECTION 2.** 29.184 (5) (a) of the statutes is amended to read:

Move to beginning of analysis

insert Analysis

or designee

✓+

ASSEMBLY BILL

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

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

4 29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old.

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

6 29.304 (1) (a) *Prohibition on hunting.* No person under ~~12~~ 10 years of age may
7 hunt with a firearm ~~or, a~~ a bow and arrow, or a crossbow.

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

9 29.304 (1) (am) *Restrictions on hunting by persons 10 or 11 years of age.* 1. No
10 person who is 10 or 11 years of age may hunt unless he or she is within arm's reach
11 of his or her parent or guardian, ^{or a person at least 18 years of age who is designated by the} the parent ^{parent or} or guardian, holds a current hunting ^{guardian}
12 approval of the type held by the person who is 10 or 11 years of age, ^{or designee} and the parent ^{or}
13 ^{or designee} or guardian, has been issued a certificate of accomplishment that states that the
14 parent ^{or designee} or guardian, has completed the course of instruction under the hunter
15 education program or has received a similar certificate issued by another state, ^{or}
16 province, or country. ^{or designee}

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

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

23 29.304 (1) (b) (intro.) *Restrictions on possession or control of a firearm.* No
24 person under 12 years of age may have in his or her possession or control any firearm
25 unless he or she is any of the following applies:

ASSEMBLY BILL

SECTION 6

1 1. He or she is enrolled in the course of instruction under the hunter education
2 program and he or she is carrying the firearm in a case and unloaded to or from that
3 class under the supervision of ~~a~~ his or her parent or guardian, or by a person at least
4 18 years of age who is designated by the parent or guardian, or is handling or
5 operating the firearm during that class under the supervision of an instructor. ✓

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

7 29.304 (1) (b) 2. He or she is 10 or 11 years of age and is hunting with his or her
8 parent or guardian ^{or by a person at least 18 years of age who is designated by the parent or} ~~parent or guardian~~ _{as provided under par. (am). guardian ✓}

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

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

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

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

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

16 29.304 (2) (a) *Restrictions on hunting.* No person 12 years of age or older but
17 under 14 years of age may hunt unless he or she is accompanied by ~~a~~ his or her
18 parent or guardian or by a person at least 18 years of age who is designated by the
19 parent or guardian.

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

21 29.304 (2) (b) *Restrictions on possession or control of a firearm.* (intro.) No
22 person 12 years of age or older but under 14 years of age may have in his or her
23 possession or control any firearm unless ~~he or she~~ any of the following apply:

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

ASSEMBLY BILL

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

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

5 29.304 (2) (b) 2. Is He or she is enrolled in the course of instruction under the
6 hunter education program and is carrying the firearm in a case and unloaded to or
7 from that class or is handling or operating the firearm during that class under the
8 supervision of an instructor.

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

10 29.304 (3) (title) PERSONS 14 ~~TO 16~~ AND 15 YEARS OF AGE.

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

12 29.304 (3) (a) *Restrictions on hunting.* (intro.) No person 14 years of age or
13 older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

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

15 29.304 (3) (a) 1. Is He or she is accompanied by ~~a~~ his or her parent or guardian
16 or by a person at least 18 years of age who is designated by the parent or guardian;
17 ~~or.~~

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

19 29.304 (3) (a) 2. Is He or she is issued a certificate of accomplishment that states
20 that he or she successfully completed the course of instruction under the hunter
21 education program or has a similar certificate issued by another state ~~or,~~ [✓] province, [✓]
22 or country.

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

ASSEMBLY BILL

SECTION 18

1 29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No
2 person 14 years of age or older but under 16 years of age may have in his or her
3 possession or control any firearm unless ~~he or she~~ any of the following apply:

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

5 29.304 (3) (b) 1. Is He or she is accompanied by -a- his or her parent or guardian
6 or by a person at least 18 years of age who is designated by the parent or guardian;

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

8 29.304 (3) (b) 2. Is He or she is enrolled in the course of instruction under the
9 hunter education program and is carrying the firearm in a case and unloaded to or
10 from that class or is handling or operating the firearm during that class under the
11 supervision of an instructor; or,

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

13 29.304 (3) (b) 3. Is He or she is issued a certificate of accomplishment that states
14 that he or she completed the course of instruction under the hunter education
15 program or has a similar certificate issued by another state or, province, or country.

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

17 29.304 (5) (title) ~~EXCEPTION~~ EXCEPTIONS.

18 *change*
comp. **SECTION 23.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a) ~~and~~
19 ~~amended to read:~~

20 ~~29.304 (5) (a) Notwithstanding subs. (1) to (3), a person 12 10 years of age or~~
21 ~~older may possess or control a firearm and may hunt with a firearm or bow and arrow~~
22 ~~on land under the ownership of the person or the person's family if no license is~~
23 ~~required and if the firing of firearms is permitted on that land.~~

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

ASSEMBLY BILL

1 29.304 (5) (am) Notwithstanding subs. (1) to (3), a person 10 years of age or
2 older may hunt with a crossbow on land under the ownership of the person or the
3 person's family if no license is required and the person is eligible for a crossbow
4 permit under s. 29.171 (4) or a Class A, Class B, or Class C permit under s. 29.193
5 (2) (c).

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

7 29.304 (5) (b) The restrictions on the possession and control of a firearm under
8 subs. (1) (b), ~~(2) (b), and (3) (b)~~ do not apply to a person using a firearm in target
9 practice if he or she is accompanied by his or her parent or guardian or by a person
10 at least 18 years of age who is designated by the parent or guardian.

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

12 29.563 (2) (a) 4. Small game issued to ~~12-year-olds~~ 10-year-olds to
13 17-year-olds: \$7.25.

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

15 29.563 (4) (a) 1m. Sports issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds:
16 \$33.25 or a greater amount at the applicant's option.

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

18 29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds~~ 10-year-olds
19 to 17-year-olds: \$72.25 or a greater amount at the applicant's option.

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

21 29.563 (4) (b) 1m. Sports issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds:
22 \$33.25 or a greater amount at the applicant's option.

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

24 29.563 (4) (b) 2m. Conservation patron issued to ~~12-year-olds~~ 10-year-olds
25 to 17-year-olds: \$72.25 or a greater amount at the applicant's option.

ASSEMBLY BILL**SECTION 31**

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

2 29.593 (1) (a) Except as provided under subs. (1m), (2), (2m) and (3), no person
3 born on or after January 1, 1973, may obtain any approval authorizing hunting
4 unless the person is issued a certificate of accomplishment under s. 29.591.

5 **SECTION 32.** 29.593 (1m) of the statutes is created to read:

6 29.593 (1m) A person who is 10 or 11 years of age may obtain an approval
7 authorizing hunting without having been issued a certificate of accomplishment
8 under s. 29.591 but that approval is valid only when the 10-year-old or 11-year-old
9 hunts in compliance with s. 29.304 (1) (am).

10 **SECTION 33.** 169.20 (1) (a) of the statutes is amended to read:

11 169.20 (1) (a) The department shall issue a bird dog training license to any
12 individual who is at least ~~12~~ 10 years of age who files a proper application and who
13 pays the applicable fee.

14 **SECTION 34.** 169.20 (2) (a) of the statutes is amended to read:

15 169.20 (2) (a) The department shall issue a hound dog training license to any
16 individual who is at least ~~12~~ 10 years of age who files a proper application and who
17 pays the applicable fee.

18 **SECTION 35.** 169.33 (2) (d) of the statutes is amended to read:

19 169.33 (2) (d) An individual who applies for a bird dog training license or a
20 hound dog training license shall be at least ~~12~~ 10 years of age.

21

(END)

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0890/5ins.
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Insert Analysis

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.

anal: title: sub-sub ACCOMPANIMENT BY PARENT OR GUARDIAN — NO CS — ~~NO UNDERLINE~~ — no underline

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).

anal: title: sub-sub * HUNTING BY 10- AND 11-YEAR-OLDS — NO CS — ~~NO UNDERLINE~~ — NO UNDERLINE

This bill changes also 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.

anal: title: sub-sub * FIREARM POSSESSION AND CONTROL by 10- and 11-year-olds — NO CS — ~~NO UNDERLINE~~ — NO UNDERLINE

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.

anal: title: sub-sub * TARGET PRACTICE — NO CS — ~~NO UNDERLINE~~ — NO UNDERLINE

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.

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