AN ACT to create 29.024 (1m) and 29.971 (3r) of the statutes; relating to:
prohibiting certain persons from obtaining a license that authorizes hunting
with a firearm and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits certain persons from possessing a firearm. Felons are
prohibited from possessing a firearm subsequent to conviction and certain persons
adjudicated delinquent may not possess a firearm subsequent to adjudication. A
person found not guilty of a felony by reason of mental defect is prohibited from
possessing a firearm subsequent to the not guilty finding. Current law also prohibits
certain persons ordered not to possess a firearm, such as those committed for
treatment for a mental illness, from possessing a firearm while subject to that order.
A person who is enjoined from committing acts of domestic abuse or who is enjoined
from coming into contact with a child is prohibited from possessing a firearm while
the injunction is in effect. Finally, a person who is subject to an order that prohibits
the person from engaging in harassing behavior and from possessing a firearm is
prohibited from possessing a firearm while the order is in effect.

This bill prohibits a person who, under current law, is prohibited from
possessing a firearm from obtaining a hunting license that authorizes the person to
hunt with a firearm, such as a small game hunting license or a deer hunting license
(hunting license). The bill requires the Department of Natural Resources (DNR) to
annually request that the Department of Justice conduct a firearms restrictions
record search with respect to every person to whom DNR issued a hunting license
during the 12 months immediately preceding the month in which the search is requested.

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. 29.024 (1m) of the statutes is created to read:

29.024 (1m) FIREARM RESTRICTIONS. (a) In this subsection, “hunting license” means a license issued under this chapter that authorizes hunting with a firearm.

(b) No person may obtain or use a hunting license if the person is prohibited from possessing a firearm under s. 941.29.

(c) The department, and its agents, shall inform each person who applies for a hunting license of the prohibition under par. (b).

(d) The department shall follow the procedures for the issuance of a citation under ss. 23.50 to 23.99 to collect a forfeiture from a person who commits a violation specified under par. (b).

(e) For the purpose of determining whether a person prohibited from possessing a firearm under s. 941.29 obtained a hunting license from the department of natural resources, the department of natural resources shall annually request that the department of justice conduct a firearms restrictions record search, as defined in s. 175.35 (1) (at), with respect to every person to whom the department of natural resources issued a hunting license during the 12 months immediately preceding the month in which the search is requested.

(f) The department of justice may not impose a fee for a firearms restrictions record search conducted under par. (d).

SECTION 2. 29.971 (3r) of the statutes is created to read:
29.971 (3r) For possessing a hunting license in violation of s. 29.024 (1m) (b),
by a forfeiture of not less than $1,000 nor more than $2,000. In addition, the court
shall order the revocation of all hunting, fishing, and trapping approvals issued to
the person under this chapter and shall prohibit the person from holding any
hunting, fishing, or trapping approval under this chapter for a period of 5 years from
the date of the court’s order.

Section 3. Initial applicability.

(1) This act first applies to hunting licenses that are issued on the effective date
of this subsection.