

State of Wisconsin



2009 Senate Bill 167

Date of enactment: **August 13, 2009**
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2009 WISCONSIN ACT 39

AN ACT to renumber and amend 29.304 (5); to amend 29.063 (5), 29.184 (6) (b) 1., 29.235 (1), 29.304 (1) (b), 29.304 (2) (a), 29.304 (2) (b) 1., 29.304 (3) (a) 1., 29.304 (3) (b) 1., 29.563 (2) (intro.), 29.563 (2) (a) 4., 29.563 (2) (a) 5g., 29.563 (2) (a) 8m., 29.563 (2m), 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4) (b) 1m., 29.563 (4) (b) 2m., 29.593 (1) (a), 169.20 (1) (a), 169.20 (2) (a) and 169.33 (2) (d); and to create 29.304 (4m), 29.304 (5) (b), 29.563 (2r) and 29.592 of the statutes; relating to: the minimum age for hunting and for possessing a firearm, restrictions on hunting and on possessing a firearm while hunting, establishing a hunting mentorship program, and granting rule-making authority.

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

SECTION 1. 29.063 (5) of the statutes is amended to read:

29.063 (5) The department may exempt deer hunters from obtaining a license under this chapter for the hunting of deer in an area that the department has designated by rule as a chronic wasting disease control zone. Deer hunters that are exempted under this subsection shall be at least ~~12~~ 10 years of age, except that a person born on or after January 1, 1973, may not hunt deer under this subsection unless he or she complies with ss. 29.304 and 29.593. A deer hunter exempted under this subsection who is under 12 years of age is subject to the restrictions specified under s. 29.592. The department shall by rule establish eligibility criteria and application procedures for receipt of an exemption under this subsection, including a method for obtaining a permit to hunt deer without a license under this subsection.

SECTION 2. 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. If the applicant is under 12 years of age, the applicant is subject to the restrictions specified under s. 29.592.

SECTION 3. 29.235 (1) of the statutes is amended to read:

29.235 (1) **ISSUANCE.** A resident conservation patron license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident ~~12~~ 10 years old or older who applies for the license. A nonresident conservation patron license shall be issued subject to s. 29.024 by the department to any person ~~12~~ 10 years old or older who is not a resident, and who applies for the license. A conservation patron license issued to a person who is under 12 years of age is subject to the restrictions specified under s. 29.592.

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

29.304 (1) (b) *Restrictions on possession or control of a firearm.* No person under 12 years of age may have in his or her possession or control any firearm unless he or she is enrolled in the course of instruction under the hunter education program and he or she is carrying the

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

firearm in a case and unloaded to or from that class under the supervision of ~~a his or her parent or guardian, or by a person at least 18 years of age who is designated by the parent or guardian,~~ or is handling or operating the firearm during that class under the supervision of an instructor.

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

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

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

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

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

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

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

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

SECTION 9. 29.304 (4m) of the statutes is created to read:

29.304 (4m) HUNTING MENTORSHIP PROGRAM. The prohibition specified in sub. (1) (a) and the restrictions specified in subs. (1) (b) to (d), (2), and (3) do not apply to a person who is hunting with a mentor and who complies with the requirements specified under s. 29.592.

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

29.304 (5) (a) Notwithstanding subs. (1) to (3), a person 12 years of age or older may possess or control a firearm and may hunt with a firearm ~~or~~ bow and arrow, or crossbow 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.

SECTION 11. 29.304 (5) (b) of the statutes is created to read:

29.304 (5) (b) 1. In this paragraph, "target practice" includes trap shooting or a similar sport shooting activity regardless of whether the activity involves shooting at a fixed or a moving target.

2. The restrictions on the possession and control of a firearm under sub. (1) 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.

SECTION 11m. 29.563 (2) (intro.) of the statutes is amended to read:

29.563 (2) HUNTING APPROVALS. (intro.) Except as provided in sub. (2m) and (2r), the fees for hunting approvals are as follows:

SECTION 12. 29.563 (2) (a) 4. of the statutes is amended to read:

29.563 (2) (a) 4. Small game issued to ~~12-year-olds to 17-year-olds~~ persons who are under 18 years of age: \$6.25.

SECTION 13. 29.563 (2) (a) 5g. of the statutes is amended to read:

29.563 (2) (a) 5g. Deer issued to ~~12-year-olds to 17-year-olds~~ persons who are under 18 years of age: \$17.25.

SECTION 14. 29.563 (2) (a) 8m. of the statutes is amended to read:

29.563 (2) (a) 8m. Archer issued to ~~12-year-olds to 17-year-olds~~ persons who are under 18 years of age: \$17.25.

SECTION 15. 29.563 (2m) of the statutes is amended to read:

29.563 (2m) HUNTING APPROVALS FOR CERTAIN NON-RESIDENTS. The fees for hunting approvals for a ~~12-to-17 year-old person who is under 18 years of age,~~ who is not a resident, and who exhibits proof that his or her parent is a resident shall be the same as the fees for hunting approvals for residents under sub. (2) (a) and (c).

SECTION 15m. 29.563 (2r) of the statutes is created to read:

29.563 (2r) HUNTING APPROVALS FOR 10 AND 11 YEAR OLDS. The fee for a hunting approval listed under sub. (2) issued to a person who is 10 or 11 years of age is \$4.25.

SECTION 16. 29.563 (4) (a) 1m. of the statutes is amended to read:

29.563 (4) (a) 1m. Sports issued to ~~12-year-olds to 17-year-olds~~ persons who are under 18 years of age: \$32.25 or a greater amount at the applicant's option.

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

29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~ persons who are under 18 years of age: \$70.25 or a greater amount at the applicant's option.

SECTION 18. 29.563 (4) (b) 1m. of the statutes is amended to read:

29.563 (4) (b) 1m. Sports issued to ~~12-year-olds to 17-year-olds~~ persons who are under 18 years of age: \$33.25 or a greater amount at the applicant's option.

SECTION 19. 29.563 (4) (b) 2m. of the statutes is amended to read:

29.563 (4) (b) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~ persons who under than 18 years of age: \$72.25 or a greater amount at the applicant's option.

SECTION 20. 29.592 of the statutes is created to read:

29.592 Hunting mentorship program. (1) A person who is at least 10 years of age may hunt in this state without obtaining a certificate of accomplishment under s. 29.591 and may, while hunting, possess or control a firearm if all of the following apply:

(a) At all times when hunting, the person is within arm's reach of a mentor who meets the qualifications under sub. (2).

(b) The person holds a hunting approval.

(2) No person may serve as a qualified mentor for a hunter unless the person meets all of the following requirements:

(a) The person is 18 years of age or older.

(b) The person is the parent or guardian of the person for whom he or she is serving as a mentor or is authorized by the parent or guardian to serve as a mentor. This requirement does not apply to a person serving as a mentor for a person who is 18 years of age or older.

(c) At all times when serving as a mentor, the person is within arm's reach of the person for whom he or she is serving as a mentor.

(d) The person has been issued a certificate of accomplishment under s. 29.591 or, if serving as a mentor for hunting elk, under s. 29.595 unless the person was born before January 1, 1973, and is not required to obtain a certificate of accomplishment.

(e) The person holds a current valid hunting approval.

(3) A person who is authorized to hunt with a mentor under this section and a mentor under this section with whom that person hunts may jointly have only one firearm, only one bow, or if hunting with a crossbow is authorized under s. 29.171 (4) or 29.193 (2), only one crossbow in their possession or control while hunting.

(4) A mentor under this section may take only one person hunting at a time for whom he or she is serving as a mentor.

(5) The requirements under subs. (1) (b) and (2) (e) do not apply to a person who is authorized to hunt without a hunting approval under s. 29.337 (1), 95.55 (5), or 169.19 (5).

SECTION 21. 29.593 (1) (a) of the statutes is amended to read:

29.593 (1) (a) Except as provided under subs. (2), (2m) and (3), and s. 29.592 (1), no person born on or after January 1, 1973, may obtain any approval authorizing hunting unless the person is issued a certificate of accomplishment under s. 29.591.

SECTION 22. 169.20 (1) (a) of the statutes is amended to read:

169.20 (1) (a) The department shall issue a bird dog training license to any individual who is at least ~~12~~ 10 years of age who files a proper application and ~~who~~ pays the applicable fee. If the department issues a bird dog training license to an individual who is under 12 years of age, the individual is subject to the restrictions specified under s. 29.592.

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

169.20 (2) (a) The department shall issue a hound dog training license to any individual who is at least ~~12~~ 10 years of age who files a proper application and ~~who~~ pays the applicable fee. If the department issues a hound dog training license to an individual who is under 12 years of age, the individual is subject to the restrictions specified under s. 29.592.

SECTION 24. 169.33 (2) (d) of the statutes is amended to read:

169.33 (2) (d) An individual who applies for a bird dog training license or a hound dog training license shall be at least ~~12~~ 10 years of age. If the applicant is under 12 years of age, the applicant is subject to the restrictions specified under s. 29.592.

SECTION 25. Effective date.

(1) This act takes effect on September 1, 2009.