



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Senate Bill 424

Senate Substitute Amendment 1

Memo published: January 15, 2010

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Current law generally protects the owner or operator of a sport shooting range from noise-related civil actions and zoning ordinances. Also, a sport shooting range in existence on June 18, 1998 may continue its operation notwithstanding zoning ordinances if, at that time, the operation is a lawful use or a legal nonconforming use. A range also may continue to operate as a sport shooting range notwithstanding various statutes, ordinances, or resolutions relating to firearms or noise.

Senate Bill 424 generally provides that an owner or operator of a sport shooting range may repair, remodel, and reinforce facilities; expand membership and public participation; expand facilities and activities; and allow generally accepted practices for sport shooting activities. Further, the bill provides that neither a governmental body nor a court may require the closure of a sport shooting range in existence on June 18, 1998 unless there is a finding that the sport shooting range presents a public safety hazard to the surrounding community and at least three opportunities are provided to the owner to eliminate the public safety hazard. If a closure occurs, the bill requires the governmental body or court to allow the owner to relocate the sport shooting range to any property where the operation of a sport shooting range is an allowable use of the property. Finally, if closure is required by a governmental body, the governmental body must acquire the property by condemnation or, if closure is required by a state agency that does not have condemnation authority, the state agency must purchase the sport shooting range from the owner for an amount equal to the sum of the value of the land and improvements on the land as stated on an appraisal furnished by the owner.

Senate Substitute Amendment 1 amends the law to provide that the operation of a sport shooting range in existence on June 18, 2010 may continue to operate as a sport shooting range at that location notwithstanding a zoning ordinance, if the sport shooting range is a lawful use or nonconforming use under the zoning ordinance then in effect. The operation of the sport shooting range continues to be a lawful use or legal nonconforming use notwithstanding any expansion of, or enhancement or improvement to, the sport shooting range.

Legislative History

On January 12, 2010, the Senate Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing introduced and adopted Senate Substitute Amendment 1 to Senate Bill 424 and recommended passage of the bill, as amended, both on votes of Ayes, 5; Noes, 0.

RS:jal