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**SENATE SUBSTITUTE AMENDMENT ,  
TO 2011 SENATE BILL 93**

Now

Regen

1 **AN ACT to repeal** 941.237 (4) and 948.605 (2) (b) 1., 2., 4., 5. and 7.; **to renumber**  
2 167.30, 941.295 (1), 943.13 (1e) (a) and 947.01; **to renumber and amend**  
3 29.089 (2), 29.091, 29.314 (4) (b) 1., 29.621 (4), 167.31 (3) (a), 440.26 (3m),  
4 941.23, 941.235 (2), 941.295 (2) (d), 941.295 (4), 943.13 (2), 948.605 (2) (b) 6. and  
5 948.605 (2) (b) 8.; **to amend** 23.33 (3) (e), 48.685 (2) (bb), 50.065 (2) (bb), 59.54  
6 (6), 66.0409 (3) (b), 165.60, 165.81 (2), 165.82 (1) (intro.), 165.82 (2), 167.31 (1)  
7 (b), 167.31 (2) (a), 167.31 (2) (b), 167.31 (2) (c), 813.12 (6) (am) 1., 813.122 (9)  
8 (am) 1., 813.125 (5r) (a), 895.527 (5) (a), 938.396 (2g) (n), 939.22 (10), 941.295  
9 (2) (intro.), 943.13 (1m) (b), 943.13 (3), 947.011 (2) (a) 1., 947.011 (2) (c) 1.,  
10 947.011 (2) (d), 948.60 (1), 948.605 (2) (a), 948.605 (2) (b) (intro.), 968.255 (1) (a)  
11 2., 971.37 (1m) (a) 2. and 973.055 (1) (a) 1.; **to repeal and recreate** 29.314 (3)  
12 (b) 1.; and **to create** 20.455 (2) (gs), 20.455 (2) (gu), 29.089 (2) (a), 29.089 (2) (b),  
13 29.089 (2) (c), 29.089 (2) (d), 29.091 (2), 29.314 (4) (b) 1g., 29.621 (4) (a), 29.621

1 (4) (b), 29.621 (4) (c), 29.621 (4) (d), 29.621 (6), 66.0409 (6), 165.25 (12), 167.30  
2 (2), 167.31 (3) (a) 2., 167.31 (4) (at), 175.48, 175.49, 175.60, 440.26 (3m) (a),  
3 440.26 (3m) (b), 440.26 (3m) (c), 440.26 (3m) (d), 941.23 (1), 941.23 (2) (b), 941.23  
4 (2) (c), 941.23 (2) (d), 941.23 (2) (e), 941.23 (3), 941.235 (2) (c), 941.235 (2) (d),  
5 941.235 (2) (e), 941.237 (3) (cr), 941.237 (3) (ct), 941.237 (3) (cx), 941.295 (1c) (b)  
6 and (c), 941.295 (2) (d) 2., 941.295 (2g), 941.295 (2r), 943.13 (1e) (aL), 943.13 (1e)  
7 (bm), 943.13 (1e) (cm), 943.13 (1e) (g), 943.13 (1e) (h), 943.13 (1m) (c), 943.13  
8 (1n), 943.13 (2) (bm), 946.71, 947.01 (2) and 948.605 (2) (b) 1m. and 1r. of the  
9 statutes; **relating to:** carrying a concealed weapon; licenses authorizing  
10 persons to carry concealed weapons; possessing or transporting a firearm, bow,  
11 or crossbow under certain circumstances; disorderly conduct limitations;  
12 photographic identification cards for former law enforcement officers;  
13 providing an exemption from emergency rule procedures; requiring the  
14 exercise of rule-making authority; making appropriations; and providing  
15 penalties.

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

16 **SECTION 1.** 20.455 (2) (gs) of the statutes is created to read:

17 20.455 (2) (gs) *Background check for licenses to carry concealed weapons.* All  
18 moneys received as fee payments under s. 175.60 (7) (c) and (d), (13), and (15) (b) 4.  
19 a. and b. to provide services under s. 175.60.

20 **SECTION 2.** 20.455 (2) (gu) of the statutes is created to read:

21 20.455 (2) (gu) *Certification cards for carrying concealed weapons.* All moneys  
22 received as fees under s. 175.49 (5m) to verify eligibility of, and to issue certification  
23 cards to, former officers seeking to carry concealed weapons.

1           **SECTION 3.** 23.33 (3) (e) of the statutes is amended to read:

2           23.33 (3) (e) With any firearm in his or her possession unless it is unloaded and  
3 enclosed in a carrying case or unless the firearm is a handgun, as defined in s. 175.60  
4 (1) (bm), or any bow unless it is unstrung or enclosed in a carrying case.

5           **SECTION 4.** 29.089 (2) of the statutes is renumbered 29.089 (2) (intro.) and  
6 amended to read:

7           29.089 (2) (intro.) Except as provided in sub. (3), no person may have in his or  
8 her possession or under his or her control a firearm on land located in state parks or  
9 state fish hatcheries unless the firearm is unloaded and enclosed within a carrying  
10 case. This subsection does not apply to any of the following:

11           **SECTION 5.** 29.089 (2) (a) of the statutes is created to read:

12           29.089 (2) (a) A person who is employed in this state by a public agency as a  
13 law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

14           **SECTION 6.** 29.089 (2) (b) of the statutes is created to read:

15           29.089 (2) (b) A qualified out-of-state law enforcement officer, as defined in s.  
16 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

17           **SECTION 7.** 29.089 (2) (c) of the statutes is created to read:

18           29.089 (2) (c) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23  
19 (2) (c) 1. to 7. applies.

20           **SECTION 8.** 29.089 (2) (d) of the statutes is created to read:

21           29.089 (2) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state  
22 licensee, as defined in s. 175.60 (1) (g), if the firearm is a handgun, as defined in s.  
23 175.60 (1) (bm).

24           **SECTION 9.** 29.091 of the statutes is renumbered 29.091 (1) and amended to  
25 read:

1           29.091 (1) No person may hunt or trap within any wildlife refuge established  
2 under s. 23.09 (2) (b) or 29.621 (1), or, except as provided in sub. (2), have possession  
3 or control of any gun, firearm, bow or crossbow unless the gun or firearm is unloaded,  
4 the bow or crossbow is unstrung and the gun, firearm, bow or crossbow is enclosed  
5 within a carrying case. The taking of predatory game birds and animals shall be done  
6 as the department directs. All state wildlife refuge boundary lines shall be marked  
7 by posts placed at intervals of not over 500 feet and bearing signs with the words  
8 “Wisconsin Wildlife Refuge”.

9           **SECTION 10.** 29.091 (2) of the statutes is created to read:

10           29.091 (2) The prohibition in sub. (1), as it relates to the possession or control  
11 of a loaded or unencased gun or firearm within a refuge established under s. 23.09  
12 (2) (b), does not apply to any of the following:

13           (a) A person who is employed in this state by a public agency as a law  
14 enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

15           (b) A qualified out-of-state law enforcement officer, as defined in s. 941.23 (1)  
16 (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

17           (c) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1.  
18 to 7. applies.

19           (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as  
20 defined in s. 175.60 (1) (g), if the gun or firearm is a handgun, as defined in s. 175.60  
21 (1) (bm).

22           **SECTION 11.** 29.314 (3) (b) 1. of the statutes is repealed and recreated to read:

23           29.314 (3) (b) 1. To any of the following:

24           a. A person who is employed in this state by a public agency as a law  
25 enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

1           b. A qualified out-of-state law enforcement officer, as defined in s. 941.23 (1)  
2 (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

3           c. A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1. to  
4 7. applies.

5           d. A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as  
6 defined in s. 175.60 (1) (g), if the firearm is a handgun, as defined in s. 175.60 (1) (bm).

7           **SECTION 12.** 29.314 (4) (b) 1. of the statutes is renumbered 29.314 (4) (b) 1r. and  
8 amended to read:

9           29.314 (4) (b) 1r. To ~~a peace officer on official business~~, an employee of the  
10 department on official business or a person authorized by the department to conduct  
11 a game census.

12           **SECTION 13.** 29.314 (4) (b) 1g. of the statutes is created to read:

13           29.314 (4) (b) 1g. To any person under sub. (3) (b) 1.

14           **SECTION 14.** 29.621 (4) of the statutes is renumbered 29.621 (4) (intro.) and  
15 amended to read:

16           29.621 (4) PROTECTION. (intro.) Except as provided in s. 29.091 (1), no owner  
17 of a wildlife refuge, and no other person, may hunt or trap within the boundaries of  
18 any wildlife refuge or have in his or her possession or under his or her control in the  
19 wildlife refuge a gun, firearm, bow or crossbow, unless the gun or firearm is unloaded,  
20 the bow or crossbow is unstrung and the gun, firearm, bow or crossbow is enclosed  
21 within a carrying case. ~~Nothing in this section may prohibit, prevent or interfere~~  
22 ~~with the department in the destruction of injurious animals.~~ This subsection, as it  
23 relates to the possession or control of a loaded or unencased firearm, does not apply  
24 to any of the following:

25           **SECTION 15.** 29.621 (4) (a) of the statutes is created to read:

1           29.621 (4) (a) A person who is employed in this state by a public agency as a  
2 law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

3           **SECTION 16.** 29.621 (4) (b) of the statutes is created to read:

4           29.621 (4) (b) A qualified out-of-state law enforcement officer, as defined in s.  
5 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

6           **SECTION 17.** 29.621 (4) (c) of the statutes is created to read:

7           29.621 (4) (c) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23  
8 (2) (c) 1. to 7. applies.

9           **SECTION 18.** 29.621 (4) (d) of the statutes is created to read:

10          29.621 (4) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state  
11 licensee, as defined in s. 175.60 (1) (g), if the gun or firearm is a handgun, as defined  
12 in s. 175.60 (1) (bm).

13          **SECTION 19.** 29.621 (6) of the statutes is created to read:

14          29.621 (6) INJURIOUS ANIMALS. Nothing in this section may prohibit, prevent,  
15 or interfere with the department in the destruction of injurious animals.

16          **SECTION 20.** 48.685 (2) (bb) of the statutes is amended to read:

17          48.685 (2) (bb) If information obtained under par. (am) or (b) 1. indicates a  
18 charge of a serious crime, but does not completely and clearly indicate the final  
19 disposition of the charge, the department, county department, agency contracted  
20 with under s. 48.651 (2), child welfare agency, school board, or entity shall make  
21 every reasonable effort to contact the clerk of courts to determine the final disposition  
22 of the charge. If a background information form under sub. (6) (a) or (am) indicates  
23 a charge or a conviction of a serious crime, but information obtained under par. (am)  
24 or (b) 1. does not indicate such a charge or conviction, the department, county  
25 department, agency contracted with under s. 48.651 (2), child welfare agency, school

1 board, or entity shall make every reasonable effort to contact the clerk of courts to  
2 obtain a copy of the criminal complaint and the final disposition of the complaint.  
3 If information obtained under par. (am) or (b) 1., a background information form  
4 under sub. (6) (a) or (am), or any other information indicates a conviction of a  
5 violation of s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01 (1), or 947.013  
6 obtained not more than 5 years before the date on which that information was  
7 obtained, the department, county department, agency contracted with under s.  
8 48.651 (2), child welfare agency, school board, or entity shall make every reasonable  
9 effort to contact the clerk of courts to obtain a copy of the criminal complaint and  
10 judgment of conviction relating to that violation.

11 **SECTION 21.** 50.065 (2) (bb) of the statutes is amended to read:

12 50.065 (2) (bb) If information obtained under par. (am) or (b) indicates a charge  
13 of a serious crime, but does not completely and clearly indicate the final disposition  
14 of the charge, the department or entity shall make every reasonable effort to contact  
15 the clerk of courts to determine the final disposition of the charge. If a background  
16 information form under sub. (6) (a) or (am), or any disclosure made pursuant to a  
17 disclosure policy described under sub. (6) (am), indicates a charge or a conviction of  
18 a serious crime, but information obtained under par. (am) or (b) does not indicate  
19 such a charge or conviction, the department or entity shall make every reasonable  
20 effort to contact the clerk of courts to obtain a copy of the criminal complaint and the  
21 final disposition of the complaint. If information obtained under par. (am) or (b), a  
22 background information form under sub. (6) (a) or (am), any disclosure made  
23 pursuant to a disclosure policy described under sub. (6) (am), or any other  
24 information indicates a conviction of a violation of s. 940.19 (1), 940.195, 940.20,  
25 941.30, 942.08, 947.01 (1), or 947.013 obtained not more than 5 years before the date

1 on which that information was obtained, the department or entity shall make every  
2 reasonable effort to contact the clerk of courts to obtain a copy of the criminal  
3 complaint and judgment of conviction relating to that violation.

4 **SECTION 22.** 59.54 (6) of the statutes is amended to read:

5 59.54 (6) PEACE AND ORDER. The board may enact and enforce ordinances to  
6 preserve the public peace and good order within the county including, but not limited  
7 by enumeration, ordinances prohibiting conduct that is the same as or similar to  
8 conduct that is prohibited by ss. 947.01 (1) and 947.02, and provide a forfeiture for  
9 a violation of the ordinances.

10 **SECTION 23.** 66.0409 (3) (b) of the statutes is amended to read:

11 66.0409 (3) (b) Nothing in this section prohibits a city, village or town that is  
12 authorized to exercise village powers under s. 60.22 (3) from enacting an ordinance  
13 or adopting a resolution that restricts the discharge of a firearm. Any ordinance or  
14 resolution that restricts the discharge of a firearm does not apply and may not be  
15 enforced if the actor's conduct is justified or, had it been subject to a criminal penalty,  
16 would have been subject to a defense described in s. 939.45.

17 **SECTION 24.** 66.0409 (6) of the statutes is created to read:

18 66.0409 (6) No person may be in violation of, or be charged with a violation of,  
19 an ordinance of a political subdivision relating to disorderly conduct or other  
20 inappropriate behavior for loading, carrying, or going armed with a firearm, without  
21 regard to whether the firearm is loaded or is concealed or openly carried. Any  
22 ordinance in violation of this subsection does not apply and may not be enforced.

23 **SECTION 25.** 165.25 (12) of the statutes is created to read:

24 165.25 (12) RULES REGARDING CONCEALED WEAPONS LICENSES. Promulgate by  
25 rule a list of states that issue a permit, license, approval, or other authorization to



1 carry a concealed weapon if the permit, license, approval, or other authorization  
2 requires, or designates that the holder chose to submit to, a background search that  
3 is comparable to a background check as defined in s. 175.60 (1) (ac).

4 **SECTION 26.** 165.60 of the statutes is amended to read:

5 **165.60 Law enforcement.** The department of justice is authorized to enforce  
6 ss. 101.123 (2), (2m), and (8), 175.60 (17) (e), 944.30, 944.31, 944.33, 944.34, 945.02  
7 (2), 945.03 (1m), and 945.04 (1m) and ch. 108 and, with respect to a false statement  
8 submitted or made under s. 175.60 (7) (b) or (15) (b) 2., to enforce s. 946.32 and is  
9 invested with the powers conferred by law upon sheriffs and municipal police officers  
10 in the performance of those duties. This section does not deprive or relieve sheriffs,  
11 constables, and other local police officers of the power and duty to enforce those  
12 sections, and those officers shall likewise enforce those sections.

13 **SECTION 27.** 165.81 (2) of the statutes is amended to read:

14 165.81 (2) Any electric weapon, as defined in s. 941.295 (4) (1c) (a), in the  
15 possession of the laboratories shall either be destroyed or be turned over to an agency  
16 authorized to have electric weapons under s. 941.295 (2).

17 **SECTION 28.** 165.82 (1) (intro.) of the statutes is amended to read:

18 165.82 (1) (intro.) Notwithstanding s. 19.35 (3), the department of justice shall  
19 impose the following fees, plus any surcharge required under sub. (1m), for criminal  
20 history searches for purposes unrelated to criminal justice or to s. 175.35, 175.49, or  
21 175.60:

22 **SECTION 29.** 165.82 (2) of the statutes is amended to read:

23 165.82 (2) ~~Except as provided in s. 175.35, the~~ The department of justice shall  
24 not impose fees for criminal history searches for purposes related to criminal justice.

25 **SECTION 30.** 167.30 of the statutes is renumbered 167.30 (1).

1           **SECTION 31.** 167.30 (2) of the statutes is created to read:

2           167.30 (2) Subsection (1) does not apply to the discharge of a firearm if the  
3 actor's conduct is justified or, had it been subject to a criminal penalty, would have  
4 been subject to a defense described in s. 939.45.

5           **SECTION 32.** 167.31 (1) (b) of the statutes is amended to read:

6           167.31 (1) (b) "Encased" means enclosed in a case ~~that is expressly made for~~  
7 ~~the purpose of containing a firearm and~~ that is completely zipped, snapped, buckled,  
8 tied or otherwise fastened with no part of the firearm exposed.

9           **SECTION 33.** 167.31 (2) (a) of the statutes is amended to read:

10          167.31 (2) (a) Except as provided in sub. (4), no person may place, possess, or  
11 transport a firearm, bow, or crossbow in or on a motorboat with the motor running,  
12 unless the firearm is a handgun, as defined in s. 175.60 (1) (bm), unless the firearm  
13 is unloaded, or unless the bow or crossbow is unstrung or is enclosed in a carrying  
14 case.

15          **SECTION 34.** 167.31 (2) (b) of the statutes is amended to read:

16          167.31 (2) (b) Except as provided in sub. (4), no person may place, possess, or  
17 transport a firearm, bow, or crossbow in or on a vehicle, unless the firearm is a  
18 handgun, as defined in s. 175.60 (1) (bm), unless the firearm is unloaded and encased,  
19 or unless the bow or crossbow is unstrung or is enclosed in a carrying case.

20          **SECTION 35.** 167.31 (2) (c) of the statutes is amended to read:

21          167.31 (2) (c) Except as provided in sub. (4), no person may load or discharge  
22 a firearm, other than a handgun, as defined in s. 175.60 (1) (bm), or shoot a bolt or  
23 an arrow from a bow or crossbow in or from a vehicle.

24          **SECTION 36.** 167.31 (3) (a) of the statutes is renumbered 167.31 (3) (a) (intro.)  
25 and amended to read:

1           167.31 (3) (a) (intro.) Except as provided in sub. (4), no person may ~~place, do~~  
2           any of the following:

3           1. Place, possess, or transport a firearm, bow, or crossbow in or on an a  
4           commercial aircraft, unless the firearm is unloaded and encased or unless the bow  
5           or crossbow is unstrung or is enclosed in a carrying case.

6           **SECTION 37.** 167.31 (3) (a) 2. of the statutes is created to read:

7           167.31 (3) (a) 2. Place, possess, or transport a firearm, bow, or crossbow in or  
8           on a noncommercial aircraft, unless the firearm is unloaded and encased or the  
9           firearm is a handgun, as defined in s. 175.60 (1) (bm), or unless the bow or crossbow  
10          is unstrung or is enclosed in a carrying case.

11          **SECTION 38.** 167.31 (4) (at) of the statutes is created to read:

12          167.31 (4) (at) Subsections (2) (c) and (d) and (3) (b) do not apply to the  
13          discharge of a firearm if the actor's conduct is justified or, had it been subject to a  
14          criminal penalty, would have been subject to a defense described in s. 939.45.

15          **SECTION 39.** 175.48 of the statutes is created to read:

16          **175.48 Law enforcement officer identification cards. (1)** In this section,  
17          "Wisconsin law enforcement agency" has the meaning given in s. 175.46 (1) (f).

18          **(2)** If a Wisconsin law enforcement agency issues photographic identification  
19          cards to its officers, it may not require an officer to relinquish his or her card when  
20          the officer separates from service with the Wisconsin law enforcement agency unless  
21          one of the following applies:

22          (a) The officer may not lawfully possess a firearm under federal law.

23          (b) The officer did not separate from service in good standing as a law  
24          enforcement officer with the agency.

1 (c) The officer served as a law enforcement officer for an aggregate of less than  
2 10 years. This paragraph does not apply if the officer, after completing any  
3 applicable probationary period of service with the agency, separated from service  
4 with the agency due to a service-connected disability, as determined by the agency.

5 (d) Either of the following applies:

6 1. A qualified medical professional employed by the law enforcement agency  
7 has found the officer to be unqualified to be a law enforcement officer for reasons  
8 related to the officer's mental health.

9 2. The officer has entered into an agreement with the law enforcement agency  
10 from which he or she is separating from service in which the officer acknowledges  
11 that he or she is not qualified to be a law enforcement officer for reasons related to  
12 the officer's mental health and in which the officer declines the photographic  
13 identification for that reason.

14 (3) Unless sub. (2) (a), (b), (c), or (d) applies, if a Wisconsin law enforcement  
15 agency does not issue photographic identification cards to its officers, it shall issue  
16 such a card to an officer who separates from service with that agency upon the  
17 separating officer's request and at his or her expense.

18 (4) This section does not restrict the right of an officer who has separated from  
19 service to go armed with a firearm that is not concealed.

20 **SECTION 40.** 175.49 of the statutes is created to read:

21 **175.49 Former law enforcement officers seeking to carry concealed**  
22 **weapons. (1) DEFINITIONS.** In this section:

23 (a) "Department" means the department of justice.

24 (b) "Destructive device" has the meaning given in 18 USC 921 (a) (4).

25 (c) "Firearm silencer" has the meaning given in s. 941.298 (1).

1 (d) "Former federal law enforcement officer" means a person who separated  
2 from service as a law enforcement officer at a federal law enforcement agency and  
3 who resides in Wisconsin.

4 (e) "Former law enforcement officer" means a person who separated from  
5 service as a law enforcement officer at a state or local law enforcement agency in  
6 Wisconsin.

7 (f) "Law enforcement agency" means an agency that consists of one or more  
8 persons employed by the federal government, including any agency described under  
9 18 USC 926C (e) (2); a state, or a political subdivision of a state; the U.S. armed forces;  
10 or the national guard, that has as its purposes the prevention and detection of crime  
11 and the enforcement of laws or ordinances, and that is authorized to make arrests  
12 for crimes.

13 (g) "Law enforcement officer" means a person who is employed by a law  
14 enforcement agency for the purpose of engaging in, or supervising others engaging  
15 in, the prevention, detection, investigation, or prosecution of, or the incarceration of  
16 any person for, any violation of law and who has statutory powers of arrest.

17 (h) "Machine gun" has the meaning given in s. 941.27 (1).

18 **(2) CERTIFICATION OF FORMER LAW ENFORCEMENT OFFICERS.** (a) Upon the request  
19 of a former law enforcement officer and at the expense of the former law enforcement  
20 agency officer, a law enforcement agency that employed the former law enforcement  
21 officer shall, except as provided in par. (b), issue the former law enforcement officer  
22 a certification card as described in sub. (4) stating all of the following:

23 1. The type of firearm the former law enforcement officer is certified to carry,  
24 but no former law enforcement officer may be certified to carry a machine gun, a  
25 firearm silencer, or a destructive device.

1           2. The former law enforcement officer has been found by the state, or by a  
2 certified firearms instructor if such an instructor is qualified to conduct a firearms  
3 qualification test for law enforcement officers in the state, to meet the standards for  
4 qualification in firearms training for law enforcement officers to carry a firearm of  
5 the type under subd. 1., that are established by the state or, if the state does not  
6 establish standards, by the law enforcement agency from which the former law  
7 enforcement officer separated.

8           3. The date on which the finding under subd. 2. was made and an expiration  
9 date that is 12 months later than that date.

10          4. That, due to the finding under subd. 2., the former law enforcement officer  
11 is qualified to carry a concealed firearm of the type under subd. 1.

12          (b) The law enforcement agency may not issue the former law enforcement  
13 officer a certification card under par. (a) unless the law enforcement agency first  
14 verifies all of the following:

15           1. The former law enforcement officer separated from service as a law  
16 enforcement officer with the law enforcement agency in good standing.

17           2. The former law enforcement officer served as a law enforcement officer for  
18 an aggregate of at least 10 years or the former law enforcement officer separated  
19 from law enforcement service due to a service-connected disability, as determined  
20 by the law enforcement agency, after completing any applicable probationary period.

21           3. Both of the following:

22           a. A qualified medical professional employed by the law enforcement agency  
23 has not found the former law enforcement officer to be unqualified to be a law  
24 enforcement officer for reasons related to the former officer's mental health.

1           b. The former law enforcement officer has not entered into an agreement with  
2 the law enforcement agency from which he or she separated from service in which  
3 the former officer acknowledges that he or she is not qualified to be a law enforcement  
4 officer for reasons related to his or her mental health and in which he or she declines  
5 the photographic identification for that reason.

6           4. The former law enforcement officer is not prohibited under federal law from  
7 possessing a firearm as indicated by a search of the transaction information for  
8 management of enforcement system and the national crime information center  
9 system.

10           5. The former law enforcement officer has, during the previous 12 months at  
11 his or her own expense, been found by the state, or by a certified firearms instructor  
12 if such an instructor is qualified to conduct a firearms qualification test for law  
13 enforcement officers in the state, to meet the standards for qualification in firearms  
14 training for law enforcement officers to carry a firearm of the type under par. (a) 1.,  
15 that are established by the state or, if the state does not establish standards, by the  
16 law enforcement agency from which the former law enforcement officer separated.

17           **(3) CERTIFICATION OF FORMER FEDERAL LAW ENFORCEMENT OFFICERS.** (a) Upon the  
18 request of a former federal law enforcement officer and at the expense of the former  
19 federal law enforcement officer, the department shall, except as provided in par. (b),  
20 issue the former federal law enforcement officer a certification card as described in  
21 sub. (4) stating all of the following:

22           1. The type of firearm the former federal law enforcement officer is certified to  
23 carry, but no former federal law enforcement officer may be certified to carry a  
24 machine gun, a firearm silencer, or a destructive device.

1           2. The former federal law enforcement officer been found by the state, or by a  
2 certified firearms instructor if such an instructor is qualified to conduct a firearms  
3 qualification test for law enforcement officers in the state, to meet the standards for  
4 qualification in firearms training for law enforcement officers to carry a firearm of  
5 the type under subd. 1., that are established by the state or, if the state does not  
6 establish standards, by any law enforcement agency in the state.

7           3. The date on which the finding under subd. 2. was made and an expiration  
8 date that is 12 months later than that date.

9           4. That, due to the finding under subd. 2., the former federal law enforcement  
10 officer is qualified to carry a concealed firearm of the type under subd. 1.

11           (b) The department may not issue the former federal law enforcement officer  
12 a certification card under par. (a) unless the department first verifies all of the  
13 following:

14           1. The former federal law enforcement officer separated from service as a law  
15 enforcement officer with the law enforcement agency in good standing.

16           2. The former federal law enforcement officer served as a law enforcement  
17 officer for an aggregate of at least 10 years or the former federal law enforcement  
18 officer separated from law enforcement service due to a service-connected disability,  
19 as determined by the law enforcement agency from which the former federal law  
20 enforcement officer separated, after completing any applicable probationary period.

21           3. a. A qualified medical professional employed by the law enforcement agency  
22 from which the former federal law enforcement officer separated has not found the  
23 former federal law enforcement officer to be unqualified to be a law enforcement  
24 officer for reasons related to the former officer's mental health.



1           b. The former federal law enforcement officer has not entered into an  
2 agreement with the law enforcement agency from which he or she separated from  
3 service in which the former officer acknowledges that he or she is not qualified to be  
4 a law enforcement officer for reasons related to his or her mental health.

5           4. The former federal law enforcement officer is not prohibited under federal  
6 law from possessing a firearm as indicated by a search of the transaction information  
7 for management of enforcement system and the national crime information center  
8 system.

9           5. The former federal law enforcement officer has, during the previous 12  
10 months at his or her own expense, been found by the state, or by a certified firearms  
11 instructor if such an instructor is qualified to conduct a firearms qualification test  
12 for law enforcement officers in the state, to meet the standards for qualification in  
13 firearms training for law enforcement officers to carry a firearm of the type under  
14 par. (a) 1., that are established by the state or, if the state does not establish  
15 standards, by any law enforcement agency in the state.

16           **(4) CERTIFICATION CARDS.** (a) 1. Subject to pars. (b), (c), and (d) and sub. (3) (a),  
17 the department shall design a certification card to be issued by the department under  
18 sub. (3) (a).

19           2. Subject to pars. (b), (c), and (d) and sub. (2) (a), each law enforcement agency,  
20 upon a request, shall design a certification card to be issued by the law enforcement  
21 agency under sub. (2) (a).

22           (b) A certification card shall contain on one side all of the following:

23           1. The full name, date of birth, and residence address of the person who holds  
24 the certification card.

1           2. A photograph of the certification card holder and a physical description that  
2 includes sex, height, and eye color.

3           3. The name of this state.

4           (c) A certification card shall include a statement that the certification card does  
5 not confer any law enforcement authority on the certification card holder and does  
6 not make the certification card holder an employee or agent of the certifying agency  
7 or department.

8           (d) A certification card may not contain the certification card holder's social  
9 security number.

10           **(5) RENEWAL OF CERTIFICATION CARDS.** A person who holds a current certification  
11 card issued under sub. (2) or (3) may renew the certification card by requesting the  
12 law enforcement agency or the department, whichever issued the current  
13 certification card, to renew the certification card at the expense of the person holding  
14 the card, if, before the date the certification card expires, the law enforcement agency  
15 verifies sub. (2) (b) 4. and 5. if the certification card holder is a former law  
16 enforcement officer, or the department verifies sub. (3) (b) 4. and 5. if the certification  
17 card holder is a former federal law enforcement officer, and the certification card  
18 holder provides any information necessary for the verification. The renewal shall  
19 state the date on which verification was made and an expiration date that is 12  
20 months later than that date.

21           **(5m) FEES.** The department may charge a fee to verify eligibility for a  
22 certification card under this section, for the issuance of a certification card under sub.  
23 (3), or for the renewal of a certification card under sub. (5), but the fee may not exceed  
24 the costs the department incurs in verifying eligibility or for issuing or renewing a

1 certification card. Payments made to the department under this subsection shall be  
2 credited to the appropriation account under s. 20.455 (2) (gu).

3 (6) IMMUNITY. (a) When acting in good faith under this section, the department  
4 and its employees and a law enforcement agency and its employees are immune from  
5 civil and criminal liability arising from any act or omission under this section.

6 (b) When acting in good faith under this section, an entity providing firearms  
7 training to comply with the requirements under sub. (2) (a) 2., (3) (a) 2., or (5) and  
8 its employees are immune from civil and criminal liability arising from any act or  
9 omission that is related to that training.

10 (7) GOING ARMED WITH A FIREARM. This section does not limit a former officer's  
11 right to go armed with a firearm that is not concealed.

12 **SECTION 41.** 175.60 of the statutes is created to read:

13 **175.60 License to carry a concealed weapon. (1) DEFINITIONS.** In this  
14 section:

15 (ac) "Background check" means the searches the department conducts under  
16 sub. (9g) to determine a person's eligibility for a license to carry a concealed weapon.

17 (ag) "Carry" means to go armed with.

18 (b) "Department" means the department of justice.

19 (bm) "Handgun" means any weapon designed or redesigned, or made or  
20 remade, and intended to be fired while held in one hand and to use the energy of an  
21 explosive to expel a projectile through a smooth or rifled bore. "Handgun" does not  
22 include a machine gun, as defined in s. 941.27 (1), a short-barreled rifle, as defined  
23 in s. 941.28 (1) (b), or a short-barreled shotgun, as defined in s. 941.28 (1) (c).

24 (bv) "Law enforcement agency" does not include the department.

25 (c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

1 (d) "Licensee" means an individual holding a valid license to carry a concealed  
2 weapon issued under this section.

3 (e) "Motor vehicle" has the meaning given in s. 340.01 (35).

4 (f) "Out-of-state license" means a valid permit, license, approval, or other  
5 authorization issued by another state if all of the following apply:

6 1. The permit, license, approval, or other authorization is for the carrying of a  
7 concealed weapon.

8 2. The state is listed in the rule promulgated by the department under s. 165.25  
9 (12) and, if that state does not require a background search for the permit, license,  
10 approval, or authorization, the permit, license, approval, or authorization  
11 designates that the holder chose to submit to a background search.

12 (g) "Out-of-state licensee" means an individual who is 21 years of age or over,  
13 who is not a Wisconsin resident, and who has been issued an out-of-state license.

14 (h) "Photographic identification card" means one of the following:

15 1. An operator's license issued under ch. 343 or an identification card issued  
16 under s. 343.50.

17 2. A license or card issued by a state other than Wisconsin that is substantially  
18 equivalent to a license or card under subd. 1.

19 (i) "State identification card number" means the unique identifying driver  
20 number assigned to a person by the department of transportation under s. 343.17 (3)  
21 (a) 4. or, if the person has no driver number, the number assigned to the person on  
22 an identification card issued under s. 343.50.

23 (j) "Weapon" means a handgun, an electric weapon, as defined in s. 941.295 (1c)  
24 (a), a knife other than a switchblade knife under s. 941.24, or a billy club.

1           **(2) ISSUANCE AND SCOPE OF LICENSE.** (a) The department shall issue a license  
2 to carry a concealed weapon to any individual who is not disqualified under sub. (3)  
3 and who completes the application process specified in sub. (7). A license to carry a  
4 concealed weapon issued under this section shall meet the requirements specified in  
5 sub. (2m).

6           (b) The department may not impose conditions, limitations, or requirements  
7 that are not expressly provided for in this section on the issuance, scope, effect, or  
8 content of a license.

9           (c) Unless expressly provided in this section, this section does not limit an  
10 individual's right to carry a firearm that is not concealed.

11           **(2g) CARRYING A CONCEALED WEAPON; POSSESSION AND DISPLAY OF LICENSE**  
12 **DOCUMENT OR AUTHORIZATION.** (a) A licensee or an out-of-state licensee may carry a  
13 concealed weapon anywhere in this state except as provided under subs. (15m) and  
14 (16) and ss. 943.13 (1m) (c) and (1n) and 948.605 (2) (b) 1r.

15           (b) Unless the licensee or out-of-state licensee is carrying a concealed weapon  
16 in a manner described under s. 941.23 (2) (e), a licensee shall have with him or her  
17 his or her license document and photographic identification card and an out-of-state  
18 licensee shall have with him or her his or her out-of-state license and photographic  
19 identification card at all times during which he or she is carrying a concealed  
20 weapon.

21           (c) Unless the licensee or out-of-state licensee is carrying a concealed weapon  
22 in a manner described under s. 941.23 (2) (e), a licensee who is carrying a concealed  
23 weapon shall display his or her license document and photographic identification  
24 card and an out-of-state licensee who is carrying a concealed weapon shall display

1 his or her out-of-state license and photographic identification card to a law  
2 enforcement officer upon the request of the law enforcement officer.

3 **(2m) LICENSE DOCUMENT; CONTENT OF LICENSE.** (a) Subject to pars. (b), (bm), (c),  
4 and (d), the department shall design a single license document for licenses issued and  
5 renewed under this section. The department shall complete the design of the license  
6 document no later than the first day of the 2nd month beginning after the effective  
7 date of this paragraph .... [LRB inserts date].

8 (b) A license document for a license issued under this section shall contain all  
9 of the following on one side:

- 10 1. The full name, date of birth, and residence address of the licensee.
- 11 2. A physical description of the licensee, including sex, height, hair color, and  
12 eye color.
- 13 3. The date on which the license was issued.
- 14 4. The date on which the license expires.
- 15 5. The name of this state.
- 16 6. A unique identification number for each licensee.

17 (bm) The reverse side of a license document issued under this section shall  
18 contain the requirement under sub. (11) (b) that the licensee shall inform the  
19 department of any address change no later than 30 days after his or her address  
20 changes and the penalty for a violation of the requirement.

21 (c) The license document may not contain the licensee's social security number.

22 (d) 1. The contents of the license document shall be included in the document  
23 in substantially the same way that the contents of an operator's license document  
24 issued under s. 343.17 are included in that document.

1           2. The license document issued under this section shall be tamper proof in  
2 substantially the same way that the operator's license is tamper proof under s.  
3 343.17 (2).

4           (e) The department of justice may contract with the department of  
5 transportation to produce and issue license documents under this section. Neither  
6 the department of transportation nor any employee of the department of  
7 transportation may store, maintain, or access the information provided by the  
8 department of justice for the production or issuance of license documents other than  
9 to the extent necessary to produce or issue the license documents.

10           **(3) RESTRICTIONS ON ISSUING A LICENSE.** The department shall issue a license  
11 under this section to an individual who submits an application under sub. (7) unless  
12 any of the following applies:

13           (a) The individual is less than 21 years of age.

14           (b) The individual is prohibited under federal law from possessing a firearm  
15 that has been transported in interstate or foreign commerce.

16           (c) The individual is prohibited from possessing a firearm under s. 941.29.

17           (d) The court has prohibited the individual from possessing a dangerous  
18 weapon under s. 969.02 (3) (c) or 969.03 (1) (c).

19           (e) The individual is on release under s. 969.01 and the individual may not  
20 possess a dangerous weapon as a condition of the release.

21           (f) The individual is not a Wisconsin resident.

22           **(5) APPLICATION AND RENEWAL FORMS.** (a) The department shall design an  
23 application form for use by individuals who apply for a license under this section and  
24 a renewal form for use by individuals applying for renewal of a license under sub.  
25 (15). The department shall complete the design of the application form no later than

1 the first day of the 2nd month beginning after the effective date of this paragraph ....  
2 [LRB inserts date], and shall complete the design of the renewal form no later than  
3 the first day of the 36th month beginning after the effective date of this paragraph  
4 .... [LRB inserts date]. The forms shall require the applicant to provide only his or  
5 her name, address, date of birth, state identification card number, race, sex, height,  
6 hair color, and eye color and shall include all of the following:

7 1. A statement that the applicant is ineligible for a license if sub. (3) (a), (b), (c),  
8 (d), (e), or (f) applies to the applicant.

9 2. A statement explaining self-defense and defense of others under s. 939.48,  
10 with a place for the applicant to sign his or her name to indicate that he or she has  
11 read and understands the statement.

12 3. A statement, with a place for the applicant to sign his or her name, to indicate  
13 that the applicant has read and understands the requirements of this section.

14 4. A statement that an applicant may be prosecuted if he or she intentionally  
15 gives a false answer to any question on the application or intentionally submits a  
16 falsified document with the application.

17 5. A statement of the penalties for intentionally giving a false answer to any  
18 question on the application or intentionally submitting a falsified document with the  
19 application.

20 6. A statement of the places under sub. (16) where a licensee is prohibited from  
21 carrying a weapon, as well as an explanation of the provisions under sub. (15m) and  
22 ss. 943.13 (1m) (c) and (1n) and 948.605 (2) (b) 1r. that could limit the places where  
23 the licensee may carry a weapon, with a place for the applicant to sign his or her name  
24 to indicate that he or she has read and understands the statement.



1 (b) The department shall make the forms described in this subsection available  
2 on the Internet and, upon request, by mail.

3 **(7) SUBMISSION OF APPLICATION.** An individual may apply for a license under this  
4 section with the department by submitting, by mail or other means made available  
5 by the department, to the department all of the following:

6 (a) A completed application in the form prescribed under sub. (5) (a).

7 (b) A statement that states that the information that he or she is providing in  
8 the application submitted under par. (a) and any document submitted with the  
9 application is true and complete to the best of his or her knowledge.

10 (c) A license fee in an amount, as determined by the department by rule, that  
11 is equal to the cost of issuing the license but does not exceed \$52. The department  
12 shall determine the costs of issuing a license by using a 5-year planning period.

13 (d) A fee for a background check that is equal to the fee charged under s. 175.35  
14 (2i).

15 **(9) PROCESSING OF APPLICATION.** (a) Upon receiving an application submitted  
16 under sub. (7), the department shall conduct a background check.

17 (b) Within 21 days after receiving a complete application under sub. (7), the  
18 department shall do one of the following:

19 1. Issue the license and promptly send the licensee his or her license document  
20 by 1st class mail.

21 2. Deny the application, but only if sub. (3) (a), (b), (c), (d), (e), or (f) applies to  
22 the applicant. If the department denies the application, the department shall inform  
23 the applicant in writing, stating the reason and factual basis for the denial.

24 **(9g) BACKGROUND CHECKS.** (a) The department shall conduct a background  
25 check regarding an applicant for a license using the following procedure:

1           1. The department shall create a confirmation number associated with the  
2 applicant.

3           2. The department shall search its records to determine whether an applicant  
4 is prohibited from possessing a firearm under s. 941.29. The department shall  
5 conduct a criminal history record search; a search to determine whether a person is  
6 prohibited from possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats.; a search  
7 in the national instant criminal background check system to determine whether a  
8 person has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13)  
9 (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a); a search to determine whether the person is  
10 subject to an injunction under s. 813.12 or 813.122, or a tribal injunction, as defined  
11 in s. 813.12 (1) (e), issued by a court established by any federally recognized  
12 Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin,  
13 that includes notice to the respondent that he or she is subject to the requirements  
14 and penalties under s. 941.29 and that has been filed with the circuit court under s.  
15 806.247 (3); a search to determine whether the person is prohibited from possessing  
16 a firearm under s. 813.125 (4m); a search to determine if the court has prohibited the  
17 individual from possessing a dangerous weapon under s. 969.02 (3) (c) or 969.03 (1)  
18 (c); and a search to determine if an individual is prohibited from possessing a  
19 dangerous weapon as a condition of release under s. 969.01.

20           3. As soon as practicable, the department shall do the following:

21           a. If the background check indicates sub. (3) (b), (c), (d), or (e) applies to the  
22 applicant, create a unique nonapproval number for the applicant.

23           b. If the completed background check does not indicate that sub. (3) (b), (c), (d),  
24 or (e) applies to the applicant, create a unique approval number for the applicant.

1 (b) The department shall maintain a record of all completed application forms  
2 and a record of all approval or nonapproval numbers regarding background checks  
3 under this subsection.

4 **(9r) EMERGENCY LICENSE.** (a) An individual who requires an immediate license  
5 may petition the court in the county in which he or she resides for such a license.  
6 Unless the court knows that the individual is ineligible for a license under sub. (3),  
7 a court may issue a temporary license to an individual if the court determines that  
8 immediate licensure is warranted to protect the individual from death or great bodily  
9 harm, as defined in s. 939.22 (14).

10 (b) An emergency license issued under this subsection is valid for 30 days  
11 unless it is void under par. (c).

12 (c) If the holder of an emergency license issued under par. (a) applies for a  
13 license under sub. (7) and is determined to be ineligible under sub. (3) for a license,  
14 the emergency license is void.

15 **(11) UPDATED INFORMATION.** (a) 1. In this paragraph:

16 a. "Clerk" means the clerk of the circuit court or, if it has enacted a law or an  
17 ordinance in conformity with s. 346.63, the clerk of the court for a federally  
18 recognized American Indian tribe or band in this state, a city, a village, or a town.

19 b. "Court automated information systems" means the systems under s. 758.19  
20 (4).

21 2. The court automated information systems, or the clerk or register in probate,  
22 if the information is not contained in or cannot be transmitted by the court  
23 automated information systems, shall promptly notify the department of the name  
24 of any individual with respect to whom any of the following occurs and the specific  
25 reason for the notification:

1           a. The individual is found by a court to have committed a felony or any other  
2 crime that would disqualify the individual from having a license under this section.

3           b. The individual is found incompetent under s. 971.14.

4           c. The individual is found not guilty of any crime by reason of mental disease  
5 or mental defect under s. 971.17.

6           d. The individual is involuntarily committed for treatment under s. 51.20 or  
7 51.45.

8           e. The individual is found incompetent under ch. 54.

9           f. The individual becomes subject to an injunction described in s. 941.29 (1) (f)  
10 or is ordered not to possess a firearm under s. 813.125 (4m).

11           g. A court has prohibited the individual from possessing a dangerous weapon  
12 under s. 969.02 (3) (c) or 969.03 (1) (c).

13           h. A court has ordered the individual not to possess a firearm under s. 51.20  
14 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a).

15           i. The individual is on release under s. 969.01 and the individual may not  
16 possess a dangerous weapon as a condition of the release.

17           3. Upon receiving a notice under subd. 2., the department shall immediately  
18 determine if the individual who is the subject of the notice is a licensee, using the list  
19 maintained under sub. (12) (a).

20           (b) 1. No later than 30 days after changing his or her address, a licensee shall  
21 inform the department of the new address. The department shall include the  
22 individual's new address in the list under sub. (12) (a).

23           2. Except as provided in subd. 3., for a first violation of subd. 1., the department  
24 must issue the licensee a warning.

1           3. If an individual is in violation of subd. 1. and his or her license has been  
2 suspended or revoked under sub. (14), the individual is subject to the penalty under  
3 sub. (17) (ac).

4           4. A licensee may not be charged with a violation of subd. 1. if the department  
5 learns of the violation when the licensee informs the department of the address  
6 change.

7           **(12) MAINTENANCE, USE, AND PUBLICATION OF RECORDS BY THE DEPARTMENT.** (a) The  
8 department shall maintain a computerized record listing the names and the  
9 information specified in sub. (2m) (b) of all individuals who have been issued a license  
10 under this section. Subject to par. (b) 1. b., neither the department nor any employee  
11 of the department may store, maintain, format, sort, or access the information in any  
12 way other than by the names, dates of birth, or sex of licensees or by the identification  
13 numbers assigned to licensees under sub. (2m) (b) 6.

14           (b) 1. A law enforcement officer may not request or be provided information  
15 under par. (a) concerning a specific licensee except for one of the following purposes:

16           a. To confirm that a license produced by an individual at the request of a law  
17 enforcement officer is valid.

18           b. If an individual is carrying a concealed weapon and claims to hold a valid  
19 license issued under this section but does not have his or her license document, to  
20 confirm that the individual holds a valid license under this section.

21           c. To investigate whether an individual submitted an intentionally false  
22 statement under sub. (7) (b) or (15) (b) 2.

23           d. To investigate whether an individual complied with sub. (14) (b) 3.

24           2. A person who is a law enforcement officer in a state other than Wisconsin  
25 may request and be provided information under subd. 1. a. and b.

1 (c) Notwithstanding s. 19.35, the department of justice, the department of  
2 transportation, or any employee of either department may not make information  
3 obtained under this section available to the public except in the context of a  
4 prosecution for an offense in which the person's status as a licensee is relevant or  
5 through a report created under sub. (19).

6 **(12g) PROVIDING LICENSEE INFORMATION TO LAW ENFORCEMENT AGENCIES.** (a) The  
7 department shall provide information concerning a specific licensee to a law  
8 enforcement agency, but only if the law enforcement agency is requesting the  
9 information for any of the following purposes:

10 1. To confirm that a license produced by an individual at the request of a law  
11 enforcement officer is valid.

12 2. If an individual is carrying a concealed weapon and claims to hold a valid  
13 license issued under this section but does not have his or her license document, to  
14 confirm that an individual holds a valid license under this section.

15 3. If the law enforcement agency is a Wisconsin law enforcement agency, to  
16 investigate whether an individual submitted an intentionally false statement under  
17 sub. (7) (b) or (15) (b) 2.

18 (b) 1. Notwithstanding s. 19.35, neither a law enforcement agency nor any of  
19 its employees may make information regarding an individual that was obtained from  
20 the department under this subsection available to the public except in the context  
21 of a prosecution for an offense in which the person's status as a licensee is relevant.

22 2. Neither a law enforcement agency nor any of its employees may store or  
23 maintain information regarding an individual that was obtained from the  
24 department under this subsection based on the individual's status as a licensee.

1           3. Neither a law enforcement agency nor any of its employees may sort or access  
2 information regarding vehicle stops, investigations, civil or criminal offenses, or  
3 other activities involving the agency based on the status as licensees of any  
4 individuals involved.

5           **(13) LOST OR DESTROYED LICENSE.** If a license document is lost, a licensee no  
6 longer has possession of his or her license, or a license document is destroyed,  
7 unreadable, or unusable, a licensee may submit to the department a statement  
8 requesting a replacement license document, the license document or any portions of  
9 the license document if available, and a \$15 replacement fee. The department shall  
10 issue a replacement license document to the licensee within 14 days of receiving the  
11 statement and fee. If the licensee does not submit the original license document to  
12 the department, the department shall terminate the unique approval number of the  
13 original request and issue a new unique approval number for the replacement  
14 request.

15           **(14) LICENSE REVOCATION AND SUSPENSION.** (a) The department shall revoke a  
16 license issued under this section if the department determines that sub. (3) (b), (c),  
17 (d), (e), or (f) applies to the licensee.

18           (am) The department shall suspend a license issued under this section if a court  
19 has prohibited the licensee from possessing a dangerous weapon under s. 969.02 (3)  
20 (c) or 969.03 (1) (c). If the individual whose license was suspended is no longer subject  
21 to the prohibition under s. 969.02 (3) (c) or 969.03 (1) (c), whichever is applicable, sub.  
22 (3) (b), (c), (d), (e), or (f) does not apply to the individual, and the suspended license  
23 would not have expired under sub. (15) (a) had it not been suspended, the department  
24 shall restore the license within 5 business days of notification that the licensee is no  
25 longer subject to the prohibition.

1 (b) 1. If the department suspends or revokes a license issued under this section,  
2 the department shall send the individual whose license has been suspended or  
3 revoked notice of the suspension or revocation by certified mail within one day after  
4 the suspension or revocation.

5 2. If the department suspends or revokes a license under this section, the  
6 suspension or revocation takes effect when the individual whose license has been  
7 suspended or revoked receives the notice under subd. 1.

8 3. Within 7 days after receiving the notice, the individual whose license has  
9 been suspended or revoked shall do one of the following:

10 a. Deliver the license document personally or by certified mail to the  
11 department.

12 b. Mail a signed statement to the department stating that he or she no longer  
13 has possession of his or her license document and stating the reasons why he or she  
14 no longer has possession.

15 **(14g) DEPARTMENTAL REVIEW.** The department shall promulgate rules providing  
16 for the review of any action by the department denying an application for, or  
17 suspending or revoking, a license under this section.

18 **(14m) APPEALS TO THE CIRCUIT COURT.** (a) An individual aggrieved by any action  
19 by the department denying an application for, or suspending or revoking, a license  
20 under this section, may appeal directly to the circuit court of the county in which the  
21 individual resides without regard to whether the individual has sought review under  
22 the process established in sub. (14g).

23 (b) To begin an appeal under this subsection, the aggrieved individual shall file  
24 a petition for review with the clerk of the applicable circuit court within 30 days of  
25 receiving notice of denial of an application for a license or of suspension or revocation



1 of a license. The petition shall state the substance of the department's action from  
2 which the individual is appealing and the grounds upon which the individual  
3 believes the department's action to be improper. The petition may include a copy of  
4 any records or documents that are relevant to the grounds upon which the individual  
5 believes the department's action to be improper.

6 (c) A copy of the petition shall be served upon the department either personally  
7 or by registered or certified mail within 5 days after the individual files his or her  
8 petition under par. (b).

9 (d) The department shall file an answer within 15 days after being served with  
10 the petition under par. (c). The answer shall include a brief statement of the actions  
11 taken by the department. The department shall include with the answer when filed  
12 a copy of any documents or records on which the department based its action.

13 (e) The court shall review the petition, the answer, and any records or  
14 documents submitted with the petition or the answer. The review under this  
15 paragraph shall be conducted by the court without a jury but the court may schedule  
16 a hearing and take testimony.

17 (f) The court shall reverse the department's action if the court finds any of the  
18 following:

19 1. That the department failed to follow any procedure, or take any action,  
20 prescribed under this section.

21 2. That the department erroneously interpreted a provision of law and a correct  
22 interpretation compels a different action.

23 3. That the department's action depends on a finding of fact that is not  
24 supported by substantial evidence in the record.

1           4. a. If the appeal is regarding a denial, that the denial was based on factors  
2 other than the factors under sub. (3).

3           b. If the appeal is regarding a suspension or revocation, that the suspension or  
4 revocation was based on criteria other than those under sub. (14) (a) or (am).

5           (g) 1. The court's decision shall provide whatever relief is appropriate  
6 regardless of the original form of the petition.

7           2. If the court reverses the department's action, the court may order the  
8 department to pay the aggrieved individual all court costs and reasonable attorney  
9 fees.

10           **(15) LICENSE EXPIRATION AND RENEWAL.** (a) Except as provided in par. (e) and  
11 sub. (9r) (b), a license issued under this section is valid for a period of 5 years from  
12 the date on which the license is issued unless the license is suspended or revoked  
13 under sub. (14).

14           (b) The department shall design a notice of expiration form. At least 90 days  
15 before the expiration date of a license issued under this section, the department shall  
16 mail to the licensee a notice of expiration form and a form for renewing the license.  
17 The department shall renew the license if, no later than 90 days after the expiration  
18 date of the license, the licensee does all of the following:

19           1. Submits a renewal application on the form provided by the department.

20           2. Submits a statement reporting that the information provided under subd.  
21 1. is true and complete to the best of his or her knowledge and that he or she is not  
22 disqualified under sub. (3).

23           4. Pays all of the following:

1           a. A renewal fee in an amount, as determined by the department by rule, that  
2 is equal to the cost of renewing the license but does not exceed \$27. The department  
3 shall determine the costs of renewing a license by using a 5-year planning period.

4           b. A fee for a background check that is equal to the fee charged under s. 175.35  
5 (2i).

6           (c) The department shall conduct a background check of a licensee as provided  
7 under sub. (9g) before renewing the licensee's license under par. (b).

8           (d) The department shall issue a renewal license by 1st class mail within 21  
9 days of receiving a renewal application, statement, and fees under par. (b).

10          (e) The license of a member of the U.S. armed forces, a reserve unit of the armed  
11 forces, or the national guard who is deployed overseas while on active duty may not  
12 expire until at least 90 days after the end of the licensee's overseas deployment  
13 unless the license is suspended or revoked under sub. (14).

14          **(15m) EMPLOYER RESTRICTIONS.** (a) Except as provided in par. (b), an employer  
15 may prohibit a licensee or an out-of-state licensee that it employs from carrying a  
16 concealed weapon or a particular type of concealed weapon in the course of the  
17 licensee's or out-of-state licensee's employment or during any part of the licensee's  
18 or out-of-state licensee's course of employment.

19          (b) An employer may not prohibit a licensee or an out-of-state licensee, as a  
20 condition of employment, from carrying a concealed weapon, a particular type of  
21 concealed weapon, or ammunition or from storing a weapon, a particular type of  
22 weapon, or ammunition in the licensee's or out-of-state licensee's own motor vehicle,  
23 regardless of whether the motor vehicle is used in the course of employment or  
24 whether the motor vehicle is driven or parked on property used by the employer.

1           **(16) PROHIBITED ACTIVITY.** (a) Except as provided in par. (am) and s. 943.13 (1m)  
2 and (1n), a licensee or an out-of-state licensee may carry a concealed weapon or a  
3 weapon that is not concealed anywhere on publicly owned property and in publicly  
4 owned buildings in this state.

5           (am) 1. Except as provided in subd. 2., neither a licensee nor an out-of-state  
6 licensee may knowingly carry a concealed weapon, a weapon that is not concealed,  
7 or a firearm that is not a weapon in any of the following places:

8           a. Any portion of a building that is a police station, sheriff's office, or state  
9 patrol station.

10           b. Any portion of a building that is a prison, jail, house of correction, or secured  
11 correctional facility.

12           c. The facility established under s. 46.055.

13           d. The center established under s. 46.056.

14           e. Any secured unit or secured portion of a mental health institute under s.  
15 51.05, including a facility designated as the Maximum Security Facility at Mendota  
16 Mental Health Institute.

17           f. Any portion of a building that is a county, state, or federal courthouse.

18           g. Any portion of a building that is a municipal courtroom if court is in session.

19           h. A place beyond a security checkpoint in an airport.

20           2. The prohibitions under subd. 1. do not apply to any of the following:

21           a. A weapon in a vehicle driven or parked in a parking facility located in a  
22 building that is used as, or any portion of which is used as, a location under subd. 1.

23           b. A weapon in a courthouse or courtroom if a judge who is a licensee is carrying  
24 the weapon or if another licensee or out-of-state licensee, whom a judge has  
25 permitted in writing to carry a weapon, is carrying the weapon.

1 c. A weapon in a courthouse or courtroom if a district attorney, or an assistant  
2 district attorney, who is a licensee is carrying the weapon.

3 **(17) PENALTIES.** (a) Any person who violates sub. (2g) (b) or (c) may be required  
4 to forfeit not more than \$25.

5 (ac) Except as provided in sub. (11) (b) 2., any person who violates sub. (11) (b)  
6 1. may be required to forfeit \$50.

7 (ag) Any person who violates sub. (2m) (e), (12), or (12g) may be fined not more  
8 than \$500 or sentenced to a term of imprisonment of not more than 30 days or both.

9 (ar) Any law enforcement officer who uses excessive force based solely on an  
10 individual's status as a licensee may be fined not more than \$500 or sentenced to a  
11 term of imprisonment of not more than 30 days or both. The application of the  
12 criminal penalty under this paragraph does not preclude the application of any other  
13 civil or criminal remedy.

14 (b) Any person who violates sub. (16) (am) may be fined not more than \$500 or  
15 imprisoned for not more than 30 days or both.

16 (e) Any person required under sub. (14) (b) 3. to relinquish or deliver a license  
17 document to the department who intentionally violates the requirements of that  
18 subdivision shall be fined not more than \$500 and may be imprisoned for not more  
19 than 30 days or both.

20 **(18) RECIPROCITY AGREEMENTS.** The department may enter into reciprocity  
21 agreements with other states as to matters relating to licenses or other authorization  
22 to carry concealed weapons.

23 **(19) STATISTICAL REPORT.** By March 1 of each year, the department shall submit  
24 a statistical report to the legislature under s. 13.172 (2) and to the governor that  
25 indicates the number of licenses applied for, issued, denied, suspended, and revoked

1 under this section during the previous calendar year. For the licenses denied, the  
2 report shall indicate the reasons for the denials and the part of the application  
3 process in which the reasons for denial were discovered. For the licenses suspended  
4 or revoked, the report shall indicate the reasons for the suspensions and revocations.  
5 The department may not include in the report any information that may be used to  
6 identify an applicant or a licensee, including, but not limited to, a name, address,  
7 birth date, or social security number.

8 **(21) IMMUNITY.** (a) The department of justice, the department of  
9 transportation, and the employees of each department; clerks, as defined in sub. (11)  
10 (a) 1. a., and their staff; and court automated information systems, as defined under  
11 sub. (11) (a) 1. b., and their employees are immune from liability arising from any act  
12 or omission under this section, if done so in good faith.

13 (b) A person that does not prohibit an individual from carrying a concealed  
14 weapon on property that the person owns or occupies is immune from any liability  
15 arising from its decision.

16 (c) An employer that does not prohibit one or more employees from carrying a  
17 concealed weapon under sub. (15m) is immune from any liability arising from its  
18 decision.

19 **SECTION 42.** 440.26 (3m) of the statutes is renumbered 440.26 (3m) (intro.) and  
20 amended to read:

21 **440.26 (3m) RULES CONCERNING DANGEROUS WEAPONS.** (intro.) The department  
22 shall promulgate rules relating to the carrying of dangerous weapons by a person  
23 who holds a license or permit issued under this section or who is employed by a  
24 person licensed under this section. The rules shall meet the minimum requirements  
25 specified in 15 USC 5902 (b), and shall allow all of the following:

1           **SECTION 43.** 440.26 (3m) (a) of the statutes is created to read:

2           440.26 **(3m)** (a) A person who is employed in this state by a public agency as  
3 a law enforcement officer to carry a concealed firearm if s. 941.23 (1) (g) 2. to 5. and  
4 (2) (b) 1. to 3. applies.

5           **SECTION 44.** 440.26 (3m) (b) of the statutes is created to read:

6           440.26 **(3m)** (b) A qualified out-of-state law enforcement officer, as defined in  
7 s. 941.23 (1) (g), to carry a concealed firearm if s. 941.23 (2) (b) 1. to 3. applies.

8           **SECTION 45.** 440.26 (3m) (c) of the statutes is created to read:

9           440.26 **(3m)** (c) A former officer, as defined in s. 941.23 (1) (c), to carry a  
10 concealed firearm if s. 941.23 (2) (c) 1. to 7. applies.

11           **SECTION 46.** 440.26 (3m) (d) of the statutes is created to read:

12           440.26 **(3m)** (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state  
13 licensee, as defined in s. 175.60 (1) (g), to carry a concealed weapon as permitted  
14 under s. 175.60.

15           **SECTION 47.** 813.12 (6) (am) 1. of the statutes is amended to read:

16           813.12 **(6)** (am) 1. If an injunction is issued or extended under sub. (4) or if a  
17 tribal injunction is filed under s. 806.247 (3), the clerk of the circuit court shall notify  
18 the department of justice of the injunction and shall provide the department of  
19 justice with information concerning the period during which the injunction is in  
20 effect and information necessary to identify the respondent for purposes of a firearms  
21 restrictions record search under s. 175.35 (2g) (c) or a background check under s.  
22 175.60 (9g) (a).

23           **SECTION 48.** 813.122 (9) (am) 1. of the statutes is amended to read:

24           813.122 **(9)** (am) 1. If an injunction is issued or extended under sub. (5), the  
25 clerk of the circuit court shall notify the department of justice of the injunction and

1 shall provide the department of justice with information concerning the period  
2 during which the injunction is in effect and information necessary to identify the  
3 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)  
4 (c) or a background check under s. 175.60 (9g) (a).

5 **SECTION 49.** 813.125 (5r) (a) of the statutes is amended to read:

6 813.125 (5r) (a) If an order prohibiting a respondent from possessing a firearm  
7 is issued under sub. (4m), the clerk of the circuit court shall notify the department  
8 of justice of the existence of the order prohibiting a respondent from possessing a  
9 firearm and shall provide the department of justice with information concerning the  
10 period during which the order is in effect and information necessary to identify the  
11 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)  
12 (c) or a background check under s. 175.60 (9g) (a).

13 **SECTION 50.** 895.527 (5) (a) of the statutes is amended to read:

14 895.527 (5) (a) Section 167.30 (1), 941.20 (1) (d) or 948.605 or any rule  
15 promulgated under those sections regulating or prohibiting the discharge of  
16 firearms.

17 **SECTION 51.** 938.396 (2g) (n) of the statutes is amended to read:

18 938.396 (2g) (n) *Firearms restriction record search or background check.* If a  
19 juvenile is adjudged delinquent for an act that would be a felony if committed by an  
20 adult, the court clerk shall notify the department of justice of that fact. No other  
21 information from the juvenile's court records may be disclosed to the department of  
22 justice except by order of the court. The department of justice may disclose any  
23 information provided under this subsection only as part of a firearms restrictions  
24 record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

25 **SECTION 52.** 939.22 (10) of the statutes is amended to read:



1           939.22 (10) “Dangerous weapon” means any firearm, whether loaded or  
2 unloaded; any device designed as a weapon and capable of producing death or great  
3 bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or  
4 mouth of another person to impede, partially or completely, breathing or circulation  
5 of blood; any electric weapon, as defined in s. 941.295 (4) (1c) (a); or any other device  
6 or instrumentality which, in the manner it is used or intended to be used, is  
7 calculated or likely to produce death or great bodily harm.

8           **SECTION 53.** 941.23 of the statutes is renumbered 941.23 (2) (intro.) and  
9 amended to read:

10           941.23 (2) (intro.) Any person ~~except a peace officer, other than one of the~~  
11 following, who goes ~~armed with~~ carries a concealed and dangerous weapon is guilty  
12 of a Class A misdemeanor. ~~Notwithstanding:~~

13           (a) A peace officer, but notwithstanding s. 939.22, for purposes of this section  
14 paragraph, peace officer does not include a commission warden who is not a  
15 state-certified commission warden.

16           **SECTION 54.** 941.23 (1) of the statutes is created to read:

17           941.23 (1) In this section:

18           (ag) “Carry” has the meaning given in s. 175.60 (1) (ag).

19           (ar) “Destructive device” has the meaning given in 18 USC 921 (a) (4).

20           (b) “Firearm silencer” has the meaning given in s. 941.298 (1).

21           (c) “Former officer” means a person who served as a law enforcement officer  
22 with a law enforcement agency before separating from law enforcement service.

23           (d) “Law enforcement agency” has the meaning given in s. 175.49 (1) (f).

24           (e) “Law enforcement officer” has the meaning given in s. 175.49 (1) (g).

25           (f) “Machine gun” has the meaning given in s. 941.27 (1).

1 (g) "Qualified out-of-state law enforcement officer" means a law enforcement  
2 officer to whom all of the following apply:

3 1. The person is employed by a state or local government agency in another  
4 state.

5 2. The agency has authorized the person to carry a firearm.

6 3. The person is not the subject of any disciplinary action by the agency that  
7 could result in the suspension or loss of the person's law enforcement authority.

8 4. The person meets all standards established by the agency to qualify the  
9 person on a regular basis to use a firearm.

10 5. The person is not prohibited under federal law from possessing a firearm.

11 **SECTION 55.** 941.23 (2) (b) of the statutes is created to read:

12 941.23 (2) (b) A qualified out-of-state law enforcement officer. This paragraph  
13 applies only if all of the following apply:

14 1. The weapon is a firearm but is not a machine gun or a destructive device.

15 2. The officer is not carrying a firearm silencer.

16 3. The officer is not under the influence of an intoxicant.

17 **SECTION 56.** 941.23 (2) (c) of the statutes is created to read:

18 941.23 (2) (c) A former officer. This paragraph applies only if all of the following  
19 apply:

20 1. The former officer has been issued a photographic identification document  
21 described in sub. (3) (b) 1. or both of the following:

22 a. A photographic identification document described in sub. (3) (b) 2. (intro.).

23 b. An identification card described in sub. (3) (b) 2. a., if the former officer  
24 resides in this state, or a certification described in sub. (3) (b) 2. b., if the former officer  
25 resides in another state.

1           2. The weapon is a firearm that is of the type described in a photographic  
2 identification document described in subd. 1. (intro.) or a card or certification  
3 described in subd. 1. b.

4           3. Within the preceding 12 months, the former officer met the standards of the  
5 state in which he or she resides for training and qualification for active duty law  
6 enforcement officers to carry firearms.

7           4. The weapon is not a machine gun or a destructive device.

8           5. The former officer is not carrying a firearm silencer.

9           6. The former officer is not under the influence of an intoxicant.

10          7. The former officer is not prohibited under federal law from possessing a  
11 firearm.

12          **SECTION 57.** 941.23 (2) (d) of the statutes is created to read:

13          941.23 (2) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state  
14 licensee, as defined in s. 175.60 (1) (g), if the dangerous weapon is a weapon, as  
15 defined under s. 175.60 (1) (j). An individual formerly licensed under s. 175.60 whose  
16 license has been suspended or revoked under s. 175.60 (14) may not assert his or her  
17 refusal to accept a notice of revocation or suspension mailed under s. 175.60 (14) (b)  
18 1. as a defense to prosecution under this subsection, regardless of whether the person  
19 has complied with s. 175.60 (11) (b) 1.

20          **SECTION 58.** 941.23 (2) (e) of the statutes is created to read:

21          941.23 (2) (e) An individual who carries a concealed and dangerous weapon,  
22 as defined in s. 175.60 (1) (j), in his or her own dwelling or place of business or on land  
23 that he or she owns, leases, or legally occupies.

24          **SECTION 59.** 941.23 (3) of the statutes is created to read:

1           941.23 (3) (a) A qualified out-of-state law enforcement officer shall, while  
2 carrying a concealed firearm, also have with him or her an identification card that  
3 contains his or her photograph and that was issued by the law enforcement agency  
4 by which he or she is employed.

5           (b) A former officer shall, while carrying a concealed firearm, also have with  
6 him or her one of the following:

7           1. A photographic identification document issued by the law enforcement  
8 agency from which the former officer separated that indicates that, within the 12  
9 months preceding the date on which the former officer is carrying the concealed  
10 firearm, he or she was tested or otherwise found by that law enforcement agency to  
11 meet the standards for qualification in firearms training that that law enforcement  
12 agency sets for active duty law enforcement officers to carry a firearm of the same  
13 type as the firearm that the former officer is carrying.

14           2. A photographic identification document issued by the law enforcement  
15 agency from which the former officer separated and one of the following:

16           a. A certification card issued under s. 175.49 (2), if the former officer resides  
17 in this state.

18           b. A certification issued by the state in which the former officer resides, if the  
19 former officer resides in another state, that indicates that, within the 12 months  
20 preceding the date on which the former officer is carrying the concealed firearm, he  
21 or she has been found by the state in which he or she resides, or by a certified firearms  
22 instructor if such an instructor is qualified to conduct a firearms qualification test  
23 for law enforcement officers in that state, to meet the standards for qualification in  
24 firearms training for law enforcement officers to carry a firearm of the type he or she  
25 is carrying, that are established by his or her state of residence or, if that state does

1 not establish standards, by any law enforcement agency in his or her state of  
2 residence.

3 (c) A person who violates this subsection may be required to forfeit not more  
4 than \$25.

5 (d) This subsection does not apply to a licensee, as defined in s. 175.60 (1) (d),  
6 or an out-of-state licensee, as defined in s. 175.60 (1) (g).

7 **SECTION 60.** 941.235 (2) of the statutes is renumbered 941.235 (2) (intro.) and  
8 amended to read:

9 941.235 (2) (intro.) This section does not apply to ~~peace~~ any of the following:

10 (a) Peace officers or armed forces or military personnel who go armed in the line  
11 of duty or to any person duly authorized by the chief of police of any city, village or  
12 town, the chief of the capitol police, or the sheriff of any county to possess a firearm  
13 in any building under sub. (1). Notwithstanding s. 939.22 (22), for purposes of this  
14 subsection paragraph, peace officer does not include a commission warden who is not  
15 a state-certified commission warden.

16 **SECTION 61.** 941.235 (2) (c) of the statutes is created to read:

17 941.235 (2) (c) A qualified out-of-state law enforcement officer, as defined in  
18 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

19 **SECTION 62.** 941.235 (2) (d) of the statutes is created to read:

20 941.235 (2) (d) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23  
21 (2) (c) 1. to 7. applies.

22 **SECTION 63.** 941.235 (2) (e) of the statutes is created to read:

23 941.235 (2) (e) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state  
24 licensee, as defined in s. 175.60 (1) (g).

25 **SECTION 64.** 941.237 (3) (cr) of the statutes is created to read:

1           941.237 (3) (cr) A qualified out-of-state law enforcement officer, as defined in  
2 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

3           **SECTION 65.** 941.237 (3) (ct) of the statutes is created to read:

4           941.237 (3) (ct) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23  
5 (2) (c) 1. to 7. applies.

6           **SECTION 66.** 941.237 (3) (cx) of the statutes is created to read:

7           941.237 (3) (cx) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state  
8 licensee, as defined in s. 175.60 (1) (g), if the licensee or out-of-state licensee is not  
9 consuming alcohol on the premises.

10          **SECTION 67.** 941.237 (4) of the statutes is repealed.

11          **SECTION 68.** 941.295 (1) of the statutes is renumbered 941.295 (1m).

12          **SECTION 69.** 941.295 (1c) (b) and (c) of the statutes are created to read:

13          941.295 (1c) (b) "Licensee" has the meaning given in s. 175.60 (1) (d).

14          (c) "Out-of-state licensee" has the meaning given in s. 175.60 (1) (g).

15          **SECTION 70.** 941.295 (2) (intro.) of the statutes is amended to read:

16          941.295 (2) (intro.) Subsection (1) (1m) does not apply to any of the following:

17          **SECTION 71.** 941.295 (2) (d) of the statutes is renumbered 941.295 (2) (d) (intro.)  
18 and amended to read:

19          941.295 (2) (d) (intro.) Any manufacturer or seller ~~whose~~ of electric weapons  
20 ~~are used in this state solely by persons, unless the manufacturer or seller engages~~  
21 in the conduct described in sub. (1m) with the intent to provide an electric weapon  
22 to someone other than one of the following:

23          1. A person specified in pars. (a) to (c), a licensee, or an out-of-state licensee.

24          **SECTION 72.** 941.295 (2) (d) 2. of the statutes is created to read:

1           941.295 (2) (d) 2. A person for use in his or her dwelling or place of business  
2 or on land that he or she owns, leases, or legally occupies.

3           **SECTION 73.** 941.295 (2g) of the statutes is created to read:

4           941.295 (2g) The prohibition in sub. (1m) on possessing or going armed with  
5 an electric weapon does not apply to any of the following:

6           (a) A licensee or an out-of-state licensee.

7           (b) An individual who goes armed with an electric weapon in his or her own  
8 dwelling or place of business or on land that he or she owns, leases, or legally  
9 occupies.

10          **SECTION 74.** 941.295 (2r) of the statutes is created to read:

11          941.295 (2r) The prohibition in sub. (1m) on transporting an electric weapon  
12 does not apply to any of the following:

13          (a) A licensee or an out-of-state licensee.

14          (b) An individual who is not a licensee or an out-of-state licensee who  
15 transports an electric weapon if the electric weapon is enclosed within a carrying  
16 case.

17          **SECTION 75.** 941.295 (4) of the statutes is renumbered 941.295 (1c) (intro.) and  
18 amended to read:

19          941.295 (1c) (intro.) In this section, ~~“electric;~~

20          (a) “Electric weapon” means any device which is designed, redesigned, used or  
21 intended to be used, offensively or defensively, to immobilize or incapacitate persons  
22 by the use of electric current.

23          **SECTION 76.** 943.13 (1e) (a) of the statutes is renumbered 943.13 (1e) (ar).

24          **SECTION 77.** 943.13 (1e) (aL) of the statutes is created to read:

25          943.13 (1e) (aL) “Carry” has the meaning given in s. 175.60 (1) (ag).

1           **SECTION 78.** 943.13 (1e) (bm) of the statutes is created to read:

2           943.13 (1e) (bm) “Licensee” means a licensee, as defined in s. 175.60 (1) (d), or  
3           an out-of-state licensee, as defined in s. 175.60 (1) (g).

4           **SECTION 79.** 943.13 (1e) (cm) of the statutes is created to read:

5           943.13 (1e) (cm) “Nonresidential building” includes a nursing home as defined  
6           in s. 50.01 (3), a community-based residential facility as defined in s. 50.01 (1g), a  
7           residential care apartment complex as defined in s. 50.01 (1d), an adult family home  
8           as defined in s. 50.01 (1), and a hospice as defined in s. 50.90 (1).

9           **SECTION 80.** 943.13 (1e) (g) of the statutes is created to read:

10          943.13 (1e) (g) “Out-of-state licensee” has the meaning given in s. 175.60 (1)  
11          (g).

12          **SECTION 81.** 943.13 (1e) (h) of the statutes is created to read:

13          943.13 (1e) (h) “Special event” means an event that is open to the public, is for  
14          a limited duration, has designated entrances to and from the event that are locked  
15          when the event is closed, and requires an admission.

16          **SECTION 82.** 943.13 (1m) (b) of the statutes is amended to read:

17          943.13 (1m) (b) Enters or remains on any land of another after having been  
18          notified by the owner or occupant not to enter or remain on the premises. This  
19          paragraph does not apply to a licensee or out-of-state licensee if the owner’s or  
20          occupant’s intent is to prevent the licensee or out-of-state licensee from carrying a  
21          firearm on the owner’s or occupant’s land.

22          **SECTION 83.** 943.13 (1m) (c) of the statutes is created to read:

23          943.13 (1m) (c) 1. While carrying a firearm, enters or remains at a residence  
24          that the actor does not own or occupy after the owner of the residence, if he or she  
25          has not leased it to another person, or the occupant of the residence has notified the



1 actor not to enter or remain at the residence while carrying a firearm or with that  
2 type of firearm. In this subdivision, "residence," with respect to a single-family  
3 residence, includes the residence building and the parcel of land upon which the  
4 residence building is located, and "residence," with respect to a residence that is not  
5 a single-family residence, does not include any common area of the building in which  
6 the residence is located or any common areas of the rest of the parcel of land upon  
7 which the residence building is located.

8 2. While carrying a firearm, enters or remains in any part of a nonresidential  
9 building that the actor does not own or occupy after the owner of the building, if that  
10 part of the building has not been leased to another person, or the occupant of that  
11 part of the building has notified the actor not to enter or remain in that part of the  
12 building while carrying a firearm or with that type of firearm. This subdivision does  
13 not apply to a part of a building occupied by the state or by a local governmental unit  
14 or, if the firearm is in a vehicle driven or parked in the parking facility, to any part  
15 of a building used as a parking facility.

16 3. While carrying a firearm, enters or remains at a special event if the  
17 organizers of the special event have notified the actor not to enter or remain at the  
18 special event while carrying a firearm or with that type of firearm. This subdivision  
19 does not apply, if the firearm is in a vehicle driven or parked in the parking facility,  
20 to any part of the special event grounds or building used as a parking facility.

21 **SECTION 84.** 943.13 (1n) of the statutes is created to read:

22 943.13 (1n) (a) A person is guilty of a Class C misdemeanor if he or she, while  
23 carrying a firearm, does any of the following:

24 1. Enters or remains in any part of a building that is owned, occupied, or  
25 controlled by the state or any local governmental unit, excluding any building or

1 portion of a building under s. 175.60 (16) (am) 1., if the state or local governmental  
2 unit has notified the actor not to enter or remain in the building while carrying a  
3 firearm or with that type of firearm.

4 2. Enters or remains in any privately or publicly owned building on the grounds  
5 of a university or college, if the university or college has notified the actor not to enter  
6 or remain in the building while carrying a firearm or with that type of firearm.

7 (b) This subsection does not apply to a person who leases residential or business  
8 premises in the building or, if the firearm is in a vehicle driven or parked in the  
9 parking facility, to any part of the building used as a parking facility.

10 **SECTION 85.** 943.13 (2) of the statutes is renumbered 943.13 (2) (am), and  
11 943.13 (2) (am) (intro.) and 1., as renumbered, are amended to read:

12 943.13 (2) (am) (intro.) A person has received notice from the owner or occupant  
13 within the meaning of sub. (1m) (b), (e) or (f) if he or she has been notified personally,  
14 either orally or in writing, or if the land is posted. Land is considered to be posted  
15 under this ~~subsection~~ paragraph under either of the following procedures:

16 1. If a sign at least 11 inches square is placed in at least 2 conspicuous places  
17 for every 40 acres to be protected. The sign must ~~carry~~ provide an appropriate notice  
18 and the name of the person giving the notice followed by the word "owner" if the  
19 person giving the notice is the holder of legal title to the land and by the word  
20 "occupant" if the person giving the notice is not the holder of legal title but is a lawful  
21 occupant of the land. Proof that appropriate signs as provided in this ~~paragraph~~  
22 subdivision were erected or in existence upon the premises to be protected prior to  
23 the event complained of shall be prima facie proof that the premises to be protected  
24 were posted as provided in this ~~paragraph~~ subdivision.

25 **SECTION 86.** 943.13 (2) (bm) of the statutes is created to read:

1           943.13 (2) (bm) 1. In this paragraph, “sign” means a sign that states a  
2           restriction imposed under subd. 2. that is at least 8.5 inches by 11 inches and colored  
3           orange as described in s. 29.301 (2).

4           2. For the purposes of subs. (1m) (c) 2. and (1n), an owner or occupant of a part  
5           of a nonresidential building or the state or a local governmental unit has notified an  
6           individual not to enter or remain in that part of the building while carrying a firearm  
7           or with a particular type of firearm if the owner, occupant, state, or local  
8           governmental unit has posted a sign that is located in a prominent place near all of  
9           the entrances to the part of the building to which the restriction applies and any  
10          individual entering the building can be reasonably expected to see the sign.

11          **SECTION 87.** 943.13 (3) of the statutes is amended to read:

12          943.13 (3) Whoever erects on the land of another signs which are the same as  
13          or similar to those described in sub. (2) (am) without obtaining the express consent  
14          of the lawful occupant of or holder of legal title to such land is subject to a Class C  
15          forfeiture.

16          **SECTION 88.** 946.71 of the statutes is created to read:

17          **946.71 Unlawful use of license for carrying concealed weapons. (1)** In  
18          this section, “license” means a license issued under s. 175.60 (2) or (9r).

19          **(2)** Whoever does any of the following is guilty of a Class A misdemeanor:

20          (a) Intentionally represents as valid any revoked, suspended, fictitious, or  
21          fraudulently altered license.

22          (b) If the actor holds a license, intentionally sells or lends the license to any  
23          other individual or knowingly permits another individual to use the license.

24          (c) Intentionally represents as one’s own any license not issued to him or her.

1 (d) If the actor holds a license, intentionally permits any unlawful use of that  
2 license.

3 (e) Intentionally reproduces by any means a copy of a license for a purpose that  
4 is prohibited under this subsection.

5 (f) Intentionally defaces or intentionally alters a license.

6 **SECTION 89.** 947.01 of the statutes is renumbered 947.01 (1).

7 **SECTION 90.** 947.01 (2) of the statutes is created to read:

8 947.01 (2) A person is not in violation of, and may not be charged with a  
9 violation of, sub. (1) for loading, carrying, or going armed with a firearm, without  
10 regard to whether the firearm is loaded or is concealed or openly carried.

11 **SECTION 91.** 947.011 (2) (a) 1. of the statutes is amended to read:

12 947.011 (2) (a) 1. Engage in conduct that is prohibited under s. 947.01 (1) within  
13 500 feet of any entrance to a facility being used for the service with the intent to  
14 disrupt the service.

15 **SECTION 92.** 947.011 (2) (c) 1. of the statutes is amended to read:

16 947.011 (2) (c) 1. Engage in conduct that is prohibited under s. 947.01 (1) within  
17 500 feet of any entrance to a facility being used for the service.

18 **SECTION 93.** 947.011 (2) (d) of the statutes is amended to read:

19 947.011 (2) (d) No person may impede vehicles that are part of a funeral  
20 procession if the person's conduct violates s. 947.01 (1).

21 **SECTION 94.** 948.60 (1) of the statutes is amended to read:

22 948.60 (1) In this section, "dangerous weapon" means any firearm, loaded or  
23 unloaded; any electric weapon, as defined in s. 941.295 (4) (1c) (a); metallic knuckles  
24 or knuckles of any substance which could be put to the same use with the same or  
25 similar effect as metallic knuckles; a nunchaku or any similar weapon consisting of

1 2 sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire  
2 or leather; a cestus or similar material weighted with metal or other substance and  
3 worn on the hand; a shuriken or any similar pointed star-like object intended to  
4 injure a person when thrown; or a manrikigusari or similar length of chain having  
5 weighted ends.

6 **SECTION 95.** 948.605 (2) (a) of the statutes is amended to read:

7 948.605 (2) (a) Any individual who knowingly possesses a firearm at a place  
8 that the individual knows, or has reasonable cause to believe, is ~~a school zone in or~~  
9 on the grounds of a school is guilty of a Class I felony. Any individual who knowingly  
10 possesses a firearm at a place that the individual knows, or has reasonable cause to  
11 believe, is within 1,000 feet of the grounds of a school is subject to a Class B forfeiture.

12 **SECTION 96.** 948.605 (2) (b) (intro.) of the statutes is amended to read:

13 948.605 (2) (b) (intro.) Paragraph (a) does not apply to the possession of a  
14 firearm by any of the following:

15 **SECTION 97.** 948.605 (2) (b) 1., 2., 4., 5. and 7. of the statutes are repealed.

16 **SECTION 98.** 948.605 (2) (b) 1m. and 1r. of the statutes are created to read:

17 948.605 (2) (b) 1m. A person who possesses the firearm in accordance with 18  
18 USC 922 (q) (2) (B) (i), (iv), (v), (vi), or (vii).

19 1r. Except if the person is in or on the grounds of a school, a licensee, as defined  
20 in s. 175.60 (1) (d). For purposes of 18 USC 922 (q) (2) (B) (ii), an out-of-state  
21 licensee, as defined in s. 175.60 (1) (g), is fully licensed under the laws of this state.

22 **SECTION 99.** 948.605 (2) (b) 6. of the statutes is renumbered 948.605 (2) (b) 2m.  
23 and amended to read:

24 948.605 (2) (b) 2m. ~~By a law enforcement officer or~~ A state-certified  
25 commission warden acting in his or her official capacity; ~~or.~~

1           **SECTION 100.** 948.605 (2) (b) 8. of the statutes is renumbered 948.605 (2) (b) 3m.  
2 and amended to read:

3           948.605 (2) (b) 3m. ~~By a~~ A person who is legally hunting in a school forest if  
4 the school board has decided that hunting may be allowed in the school forest under  
5 s. 120.13 (38).

6           **SECTION 101.** 968.255 (1) (a) 2. of the statutes is amended to read:

7           968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30 (1), 940.19,  
8 941.20 (1), 941.23, 941.237, 941.24, 948.60, or 948.61.

9           **SECTION 102.** 971.37 (1m) (a) 2. of the statutes is amended to read:

10           971.37 (**1m**) (a) 2. An adult accused of or charged with a criminal violation of  
11 s. 940.19, 940.20 (1m), 940.201, 940.225, 940.23, 940.285, 940.30, 940.42, 940.43,  
12 940.44, 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49,  
13 947.01 (1), 947.012 or 947.0125 and the conduct constituting the violation involved  
14 an act by the adult person against his or her spouse or former spouse, against an  
15 adult with whom the adult person resides or formerly resided or against an adult  
16 with whom the adult person has created a child.

17           **SECTION 103.** 973.055 (1) (a) 1. of the statutes is amended to read:

18           973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified  
19 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,  
20 940.225, 940.23, 940.235, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44,  
21 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1),  
22 947.012 or 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20,  
23 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1), 947.012 or 947.0125; and

24           **SECTION 104. Nonstatutory provisions.**

