

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

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

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

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

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

21 a. Deliver the license document personally or by certified mail to the
22 department.

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

1 **(14g) DEPARTMENTAL REVIEW.** The department shall promulgate rules providing
2 for the review of any action by the department denying an application for, or
3 suspending or revoking, a license under this section.

4 **(14m) APPEALS TO THE CIRCUIT COURT.** (a) An individual aggrieved by any action
5 by the department denying an application for, or suspending or revoking, a license
6 under this section, may appeal directly to the circuit court of the county in which the
7 individual resides without regard to whether the individual has sought review under
8 the process established in sub. (14g).

9 (b) To begin an appeal under this subsection, the aggrieved individual shall file
10 a petition for review with the clerk of the applicable circuit court within 30 days of
11 receiving notice of denial of an application for a license or of suspension or revocation
12 of a license. The petition shall state the substance of the department's action from
13 which the individual is appealing and the grounds upon which the individual
14 believes the department's action to be improper. The petition may include a copy of
15 any records or documents that are relevant to the grounds upon which the individual
16 believes the department's action to be improper.

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

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

24 (e) The court shall review the petition, the answer, and any records or
25 documents submitted with the petition or the answer. The review under this

1 paragraph shall be conducted by the court without a jury but the court may schedule
2 a hearing and take testimony.

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

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

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

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

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

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

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

17 2. If the court reverses the department's action, the court may order the
18 department to pay the aggrieved individual all court costs and reasonable attorney
19 fees.

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

24 (b) The department shall design a notice of expiration form. At least 90 days
25 before the expiration date of a license issued under this section, the department shall

1 mail to the licensee a notice of expiration form and a form for renewing the license.
2 The department shall renew the license if, no later than 90 days after the expiration
3 date of the license, the licensee does all of the following:

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

5 2. Submits a statement reporting that the information provided under subd.

6 1. is true and complete to the best of his or her knowledge and that he or she is not
7 disqualified under sub. (3).

8 4. Pays all of the following:

9 a. A renewal fee in an amount, as determined by the department by rule, that
10 is equal to the cost of renewing the license but does not exceed ~~\$27~~¹². The department
11 shall determine the costs of renewing a license by using a 5-year planning period.

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

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

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

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

22 **(15m) EMPLOYER RESTRICTIONS.** (a) Except as provided in par. (b), an employer
23 may prohibit a licensee or an out-of-state licensee that it employs from carrying a
24 concealed weapon or a particular type of concealed weapon in the course of the

1 licensee's or out-of-state licensee's employment or during any part of the licensee's
2 or out-of-state licensee's course of employment.

3 (b) An employer may not prohibit a licensee or an out-of-state licensee, as a
4 condition of employment, from carrying a concealed weapon, a particular type of
5 concealed weapon, or ammunition or from storing a weapon, a particular type of
6 weapon, or ammunition in the licensee's or out-of-state licensee's own motor vehicle,
7 regardless of whether the motor vehicle is used in the course of employment or
8 whether the motor vehicle is driven or parked on property used by the employer.

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

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

16 a. Any portion of a building that is a police station, sheriff's office, or state
17 patrol station. *or the office of a special criminal investigation agent*

18 b. Any portion of a building that is a prison, jail, house of correction, or secured *department*
19 correctional facility.

20 c. The facility established under s. 46.055.

21 d. The center established under s. 46.056.

22 e. Any secured unit or secured portion of a mental health institute under s.
23 51.05, including a facility designated as the Maximum Security Facility at Mendota
24 Mental Health Institute.

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

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

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

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

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

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

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

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

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

15 (ag) Any person who violates sub. (2m) (e), (12), or (12g) may be fined not more
16 than \$500 or sentenced to a term of imprisonment of not more than 30 days or both. *charged with a violation of s. 944.12*

17 (ar) Any law enforcement officer who uses excessive force based solely on an
18 individual's status as a licensee may be fined not more than \$500 or sentenced to a
19 term of imprisonment of not more than 30 days or both. The application of the
20 criminal penalty under this paragraph does not preclude the application of any other
21 civil or criminal remedy. *charged with a violation of s. 940.19*

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

24 (e) Any person required under sub. (14) (b) 3. to relinquish or deliver a license
25 document to the department who intentionally violates the requirements of that

if the action could be charged under s. 940.19 ✓

1 subdivision shall be fined not more than \$500 and may be imprisoned for not more
2 than 30 days or both.

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

6 **(19) STATISTICAL REPORT.** By March 1 of each year, the department shall submit
7 a statistical report to the legislature under s. 13.172 (2) and to the governor that
8 indicates the number of licenses applied for, issued, denied, suspended, and revoked
9 under this section during the previous calendar year. For the licenses denied, the
10 report shall indicate the reasons for the denials and the part of the application
11 process in which the reasons for denial were discovered. For the licenses suspended
12 or revoked, the report shall indicate the reasons for the suspensions and revocations.
13 The department may not include in the report any information that may be used to
14 identify an applicant or a licensee, including, but not limited to, a name, address,
15 birth date, or social security number.

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

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

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

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

6 **440.26 (3m) RULES CONCERNING DANGEROUS WEAPONS.** (intro.) The department
7 shall promulgate rules relating to the carrying of dangerous weapons by a person
8 who holds a license or permit issued under this section or who is employed by a
9 person licensed under this section. The rules shall meet the minimum requirements
10 specified in 15 USC 5902 (b), and shall allow all of the following:

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

12 **440.26 (3m) (a)** A person who is employed in this state by a public agency as
13 a law enforcement officer to carry a concealed firearm if s. 941.23 (1) (g) 2. to 5. and
14 (2) (b) 1. to 3. applies.

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

16 **440.26 (3m) (b)** A qualified out-of-state law enforcement officer, as defined in
17 s. 941.23 (1) (g), to carry a concealed firearm if s. 941.23 (2) (b) 1. to 3. applies.

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

19 **440.26 (3m) (c)** A former officer, as defined in s. 941.23 (1) (c), to carry a
20 concealed firearm if s. 941.23 (2) (c) 1. to 7. applies.

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

22 **440.26 (3m) (d)** A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
23 licensee, as defined in s. 175.60 (1) (g), to carry a concealed weapon as permitted
24 under s. 175.60.

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

1 813.12 (6) (am) 1. If an injunction is issued or extended under sub. (4) or if a
2 tribal injunction is filed under s. 806.247 (3), the clerk of the circuit court shall notify
3 the department of justice of the injunction and shall provide the department of
4 justice with information concerning the period during which the injunction is in
5 effect and information necessary to identify the respondent for purposes of a firearms
6 restrictions record search under s. 175.35 (2g) (c) or a background check under s.
7 175.60 (9g) (a).

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

9 813.122 (9) (am) 1. If an injunction is issued or extended under sub. (5), the
10 clerk of the circuit court shall notify the department of justice of the injunction and
11 shall provide the department of justice with information concerning the period
12 during which the injunction is in effect and information necessary to identify the
13 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
14 (c) or a background check under s. 175.60 (9g) (a).

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

16 813.125 (5r) (a) If an order prohibiting a respondent from possessing a firearm
17 is issued under sub. (4m), the clerk of the circuit court shall notify the department
18 of justice of the existence of the order prohibiting a respondent from possessing a
19 firearm and shall provide the department of justice with information concerning the
20 period during which the order is in effect and information necessary to identify the
21 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
22 (c) or a background check under s. 175.60 (9g) (a).

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

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

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

5 938.396 (2g) (n) *Firearms restriction record search or background check*. If a
6 juvenile is adjudged delinquent for an act that would be a felony if committed by an
7 adult, the court clerk shall notify the department of justice of that fact. No other
8 information from the juvenile's court records may be disclosed to the department of
9 justice except by order of the court. The department of justice may disclose any
10 information provided under this subsection only as part of a firearms restrictions
11 record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

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

13 939.22 (10) "Dangerous weapon" means any firearm, whether loaded or
14 unloaded; any device designed as a weapon and capable of producing death or great
15 bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or
16 mouth of another person to impede, partially or completely, breathing or circulation
17 of blood; any electric weapon, as defined in s. 941.295 (4) (1c) (a); or any other device
18 or instrumentality which, in the manner it is used or intended to be used, is
19 calculated or likely to produce death or great bodily harm.

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

22 941.23 (2) (intro.) Any person ~~except a peace officer, other than one of the~~
23 following, who goes ~~armed with~~ carries a concealed and dangerous weapon is guilty
24 of a Class A misdemeanor. ~~Notwithstanding:~~

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

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

5 941.23 (1) In this section:

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

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

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

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

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

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

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

14 (g) “Qualified out-of-state law enforcement officer” means a law enforcement
15 officer to whom all of the following apply:

16 1. The person is employed by a state or local government agency in another
17 state.

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

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

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

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

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

1 941.23 (2) (b) A qualified out-of-state law enforcement officer. This paragraph
2 applies only if all of the following apply:

- 3 1. The weapon is a firearm but is not a machine gun or a destructive device.
- 4 2. The officer is not carrying a firearm silencer.
- 5 3. The officer is not under the influence of an intoxicant.

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

7 941.23 (2) (c) A former officer. This paragraph applies only if all of the following
8 apply:

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

- 11 a. A photographic identification document described in sub. (3) (b) 2. (intro.).
- 12 b. An identification card described in sub. (3) (b) 2. a., if the former officer
13 resides in this state, or a certification described in sub. (3) (b) 2. b., if the former officer
14 resides in another state.

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

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

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

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

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

24 7. The former officer is not prohibited under federal law from possessing a
25 firearm.

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

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

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

10 941.23 (2) (e) An individual who carries a concealed and dangerous weapon,
11 as defined in s. 175.60 (1) (j), in his or her own dwelling or place of business or on land
12 that he or she owns, leases, or legally occupies.

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

14 941.23 (3) (a) A qualified out-of-state law enforcement officer shall, while
15 carrying a concealed firearm, also have with him or her an identification card that
16 contains his or her photograph and that was issued by the law enforcement agency
17 by which he or she is employed.

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

20 1. A photographic identification document issued by the law enforcement
21 agency from which the former officer separated that indicates that, within the 12
22 months preceding the date on which the former officer is carrying the concealed
23 firearm, he or she was tested or otherwise found by that law enforcement agency to
24 meet the standards for qualification in firearms training that that law enforcement

1 agency sets for active duty law enforcement officers to carry a firearm of the same
2 type as the firearm that the former officer is carrying.

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

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

7 b. A certification issued by the state in which the former officer resides, if the
8 former officer resides in another state, that indicates that, within the 12 months
9 preceding the date on which the former officer is carrying the concealed firearm, he
10 or she has been found by the state in which he or she resides, 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 that state, to meet the standards for qualification in
13 firearms training for law enforcement officers to carry a firearm of the type he or she
14 is carrying, that are established by his or her state of residence or, if that state does
15 not establish standards, by any law enforcement agency in his or her state of
16 residence.

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

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

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

23 941.235 (2) (intro.) This section does not apply to ~~peace~~ any of the following:

24 (a) Peace officers or armed forces or military personnel who go armed in the line
25 of duty or to any person duly authorized by the chief of police of any city, village or

1 town, the chief of the capitol police, or the sheriff of any county to possess a firearm
2 in any building under sub. (1). Notwithstanding s. 939.22 (22), for purposes of this
3 ~~subsection paragraph~~, peace officer does not include a commission warden who is not
4 a state-certified commission warden.

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

6 941.235 (2) (c) A qualified out-of-state law enforcement officer, as defined in
7 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

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

9 941.235 (2) (d) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
10 (2) (c) 1. to 7. applies.

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

12 941.235 (2) (e) 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).

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

15 941.237 (3) (cr) A qualified out-of-state law enforcement officer, as defined in
16 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

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

18 941.237 (3) (ct) 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 66.** 941.237 (3) (cx) of the statutes is created to read:

21 941.237 (3) (cx) 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 licensee or out-of-state licensee is not
23 consuming alcohol on the premises.

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

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

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

2 941.295 (1c) (b) "Licensee" has the meaning given in s. 175.60 (1) (d).

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

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

5 941.295 (2) (intro.) Subsection ~~(1)~~ (1m) does not apply to any of the following:

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

8 941.295 (2) (d) (intro.) Any manufacturer or seller whose of electric weapons
9 are used in this state solely by persons, unless the manufacturer or seller engages
10 in the conduct described in sub. (1m) with the intent to provide an electric weapon
11 to someone other than one of the following:

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

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

14 941.295 (2) (d) 2. A person for use in his or her dwelling or place of business
15 or on land that he or she owns, leases, or legally occupies.

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

17 941.295 (2g) The prohibition in sub. (1m) on possessing or going armed with
18 an electric weapon does not apply to any of the following:

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

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

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

24 941.295 (2r) The prohibition in sub. (1m) on transporting an electric weapon
25 does not apply to any of the following:

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

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

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

7 941.295 (1c) (intro.) In this section, ~~“electric;~~

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

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

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

13 943.13 (1e) (aL) “Carry” has the meaning given in s. 175.60 (1) (ag).

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

15 943.13 (1e) (bm) “Licensee” means a licensee, as defined in s. 175.60 (1) (d), or
16 an out-of-state licensee, as defined in s. 175.60 (1) (g).

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

18 943.13 (1e) (cm) “Nonresidential building” includes a nursing home as defined
19 in s. 50.01 (3), a community-based residential facility as defined in s. 50.01 (1g), a
20 residential care apartment complex as defined in s. 50.01 (1d), an adult family home
21 as defined in s. 50.01 (1), and a hospice as defined in s. 50.90 (1).

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

23 943.13 (1e) (g) “Out-of-state licensee” has the meaning given in s. 175.60 (1)
24 (g).

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

and either

1 943.13 (1e) (h) "Special event" means an event that is open to the public, is for
2 a limited duration, has designated entrances to and from the event that are locked
3 when the event is closed ~~and~~^{or} requires an admission.

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

5 943.13 (1m) (b) Enters or remains on any land of another after having been
6 notified by the owner or occupant not to enter or remain on the premises. This
7 paragraph does not apply to a licensee or out-of-state licensee if the owner's or
8 occupant's intent is to prevent the licensee or out-of-state licensee from carrying a
9 firearm on the owner's or occupant's land.

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

11 943.13 (1m) (c) 1. While carrying a firearm, enters or remains at a residence
12 that the actor does not own or occupy after the owner of the residence, if he or she
13 has not leased it to another person, or the occupant of the residence has notified the
14 actor not to enter or remain at the residence while carrying a firearm or with that
15 type of firearm. In this subdivision, "residence," with respect to a single-family
16 residence, includes the residence building and the parcel of land upon which the
17 residence building is located, and "residence," with respect to a residence that is not
18 a single-family residence, does not include any common area of the building in which
19 the residence is located or any common areas of the rest of the parcel of land upon
20 which the residence building is located.

21 2. While carrying a firearm, enters or remains in any part of a nonresidential
22 building that the actor does not own or occupy after the owner of the building, if that
23 part of the building has not been leased to another person, or the occupant of that
24 part of the building has notified the actor not to enter or remain in that part of the
25 building while carrying a firearm or with that type of firearm. This subdivision does

1 not apply to a part of a building occupied by the state or by a local governmental unit
2 or, if the firearm is in a vehicle driven or parked in the parking facility, to any part
3 of a building used as a parking facility.

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

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

10 943.13 (1n) (a) A person is guilty of a Class C misdemeanor if he or she, while
11 carrying a firearm, does any of the following:

12 4. Enters or remains in any part of a building that is owned, occupied, or
13 controlled by the state or any local governmental unit, excluding any building or
14 portion of a building under s. 175.60 (16) (am) 1., if the state or local governmental
15 unit has notified the actor not to enter or remain in the building while carrying a
16 firearm or with that type of firearm.

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

20 (b) This ^{subdivision} subsection does not apply to a person who leases residential or business
21 premises in the building or, if the firearm is in a vehicle driven or parked in the
22 parking facility, to any part of the building used as a parking facility. ✓

23 **SECTION 85.** 943.13 (2) of the statutes is renumbered 943.13 (2) (am), and
24 943.13 (2) (am) (intro.) and 1., as renumbered, are amended to read:

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

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

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

15 943.13 (2) (bm) 1. In this paragraph, "sign" means a sign that states a
16 restriction imposed under subd. 2. that is at least 8.5 inches by 11 inches and colored
17 orange as described in s. 29.301 (2). ^{3 4.5 and 5.}

18 2. For the purposes of sub. (1m) (c) 2. ~~(and 1m)~~ ^{(and 1m) ✓}, an owner or occupant of a part
19 of a nonresidential building ^{or} ~~of~~ the state or a local governmental unit ^{has} notified an
20 individual not to enter or remain in that part of the building while carrying a firearm
21 or with a particular type of firearm if the owner, occupant, state, ^{or} ~~or~~ local
22 governmental unit ^{has} posted a sign that is located in a prominent place near all of
23 the entrances to the part of the building to which the restriction applies and any
24 individual entering the building can be reasonably expected to see the sign.

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

INS
51-25

↑ university or college

↑ or a university or a college

1 943.13 (3) Whoever erects on the land of another signs which are the same as
2 or similar to those described in sub. (2) (am) without obtaining the express consent
3 of the lawful occupant of or holder of legal title to such land is subject to a Class C
4 forfeiture.

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

6 **946.71 Unlawful use of license for carrying concealed weapons.** (1) In
7 this section, "license" means a license issued under s. 175.60 (2) or (9r).

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

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

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

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

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

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

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

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

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

21 947.01 (2) ^{Unless other facts and circumstances apply} ~~A~~ person is not in violation of, and may not be charged with a
22 violation of, sub. (1) for loading, carrying, or going armed with a firearm, without
23 regard to whether the firearm is loaded or is concealed or openly carried.

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

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

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

5 947.011 (2) (c) 1. Engage in conduct that is prohibited under s. 947.01 (1) within
6 500 feet of any entrance to a facility being used for the service.

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

8 947.011 (2) (d) No person may impede vehicles that are part of a funeral
9 procession if the person's conduct violates s. 947.01 (1).

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

11 948.60 (1) In this section, "dangerous weapon" means any firearm, loaded or
12 unloaded; any electric weapon, as defined in s. 941.295 (4) (1c) (a); metallic knuckles
13 or knuckles of any substance which could be put to the same use with the same or
14 similar effect as metallic knuckles; a nunchaku or any similar weapon consisting of
15 2 sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire
16 or leather; a cestus or similar material weighted with metal or other substance and
17 worn on the hand; a shuriken or any similar pointed star-like object intended to
18 injure a person when thrown; or a manrikigusari or similar length of chain having
19 weighted ends.

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

21 948.605 (2) (a) Any individual who knowingly possesses a firearm at a place
22 that the individual knows, or has reasonable cause to believe, is ~~a school zone~~ in or
23 on the grounds of a school is guilty of a Class I felony. Any individual who knowingly
24 possesses a firearm at a place that the individual knows, or has reasonable cause to
25 believe, is within 1,000 feet of the grounds of a school is subject to a Class B forfeiture.

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

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

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

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

6 948.605 (2) (b) 1m. A person who possesses the firearm in accordance with 18
7 USC 922 (q) (2) (B) (i), (iv), (v), (vi), or (vii).

8 1r. Except if the person is in or on the grounds of a school, a licensee, as defined
9 in s. 175.60 (1) (d), For purposes of 18 USC 922 (q) (2) (B) (ii), ^{or} (an out-of-state
10 licensee, as defined in s. 175.60 (1) (g), is fully licensed under the laws of this state.

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

13 948.605 (2) (b) 2m. ~~By a law enforcement officer or~~ A state-certified
14 commission warden acting in his or her official capacity; ~~or.~~

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

17 948.605 (2) (b) 3m. ~~By a~~ A person who is legally hunting in a school forest if
18 the school board has decided that hunting may be allowed in the school forest under
19 s. 120.13 (38).

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

21 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30 (1), 940.19,
22 941.20 (1), 941.23, 941.237, 941.24, 948.60, or 948.61.

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

24 971.37 **(1m)** (a) 2. An adult accused of or charged with a criminal violation of
25 s. 940.19, 940.20 (1m), 940.201, 940.225, 940.23, 940.285, 940.30, 940.42, 940.43,

1 940.44, 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49,
2 947.01 (1), 947.012 or 947.0125 and the conduct constituting the violation involved
3 an act by the adult person against his or her spouse or former spouse, against an
4 adult with whom the adult person resides or formerly resided or against an adult
5 with whom the adult person has created a child.

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

7 973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified
8 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,
9 940.225, 940.23, 940.235, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44,
10 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1),
11 947.012 or 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20,
12 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1), 947.012 or 947.0125; and

13 **SECTION 104. Nonstatutory provisions.**

14 (1) Using the procedure under section 227.24 of the statutes, the department
15 of justice shall promulgate rules required under section 165.25 (12) of the statutes,
16 as created by this act, for the period before the effective date of the permanent rules
17 promulgated under those sections, but not to exceed the period authorized under
18 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
19 (2) (b), and (3) of the statutes, the department is not required to provide evidence that
20 promulgating a rule under this subsection as an emergency rule is necessary for the
21 preservation of public peace, health, safety, or welfare and is not required to provide
22 a finding of an emergency for a rule promulgated under this subsection.

23 **SECTION 105. Effective dates.** This act takes effect on the first day of the 4th
24 month beginning after publication, except as follows:

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0135/p2ins
CMH:.....

1 Insert 24-4

2 (4) TRAINING REQUIREMENTS. (a) The proof of training requirement under sub. (7)

3 (e) may be met by any of the following:

4 1. A copy of a document, or an affidavit from an instructor or organization that
5 conducted the course or program, that indicates the individual completed any of the
6 following:

7 a. The hunter education program established under s. 29.591 or a substantially
8 similar program that is established by another state, country, or province and that
9 is recognized by the department of natural resources.

10 b. A firearms safety or training course that is conducted by a national or state
11 organization that certifies firearms instructors.

12 c. A firearms safety or training course that is available to the public and is
13 offered by a law enforcement agency or, if the course is taught by an instructor who
14 is certified by a national or state organization that certifies firearms instructors or
15 by the department, by a technical college, a college or a university, a private or public
16 institution or organization, or firearms training school.

17 d. A firearms safety or training course that is offered to law enforcement
18 officers or to owners and employees of licensed private detective and security
19 agencies.

20 e. A firearms safety or training course that is conducted by a firearms
21 instructor who is certified by a national or state organization that certifies firearms
22 instructors or by the department.

who is certified

1 (d) A person providing a firearms training course in good faith is immune from
2 liability arising from any act or omission related to the course if the course is one
3 described in sub. (4) (a).[✓]
4

5 Insert 51-25

6 3. For the purposes of sub. (1m) (c) 3.[✓], the organizers of the special event ~~an~~ ^{have} has
7 notified an individual not to enter or remain at the special event while carrying a
8 firearm or with a particular type of firearm if the organizers have posted a sign that
9 is located in a prominent place near all of the entrances to the special event and any
10 individual attending the special event can be reasonably expected to see the sign.[✓]

7-9485

Anne - -

✓ ① pg 21, 18 "this" not "the"

✓ ② pg 22, 19 while Leo is doing any ^{abstracting} language

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

✓ ③ 38 - delete (a)

~~? remove immunity for instructors ?~~

X ④ ~~Deleted~~ 1913
D.C. ↑ ed.

✓ ⑤ emergency unless the court revoke

✓ ⑥ p 24 - add training

✓ ⑦ § 12, 33, 15 lost licens-fee

✓ ⑧ p. 34, 14 delete "certified" mat

✓ ⑨ secret ag. vs - division of criminal
investigation spec. agent of the dep

to pass

to ^{pro} _{or} projects
points of order, land

p. 51 add

subd 3. to k

~~for~~

notice
any
to include

order of multi-family
part is common
so that non-tenants
can't buy

✓ ~~for~~

in the order

~~Dept~~ - ~~trans~~

✓ training holding

25)
see email

Hanaman, Cathlene

From: Sappenfield, Anne
Sent: Friday, June 03, 2011 5:27 PM
To: Hanaman, Cathlene
Subject: sb 93

Hi Cathlene,

OK—take out the crime references for the law enforcement offenses. Leave in the license language (and include other states') for now in the training provision.

Thank you, and I hope your weekend is OK!!

I will check email this weekend, so let me know if you have any questions or want to talk about anything. Also, my cell is

Anne

Anne Sappenfield
Senior Staff Attorney
WI Legislative Council
(608) 267-9485

Hanaman, Cathlene

Subject: FW:

A current or expired license that the individual holds or has held that indicates that the individual is licensed or has been licensed to carry a firearm in this state or in a county or municipality of this state unless the license has been revoked for cause.

m. bell

From: Sappenfield, Anne
Sent: Friday, June 03, 2011 4:53 PM
To: Hanaman, Cathlene
Subject:

8. Holding or previously having held a current or expired license or permit to carry a firearm in any state or a locality thereof, unless such license or permit has been suspended or revoked for cause. A photocopy of the license or permit to carry a firearm shall be deemed proof of having held such license or permit.

Anne Sappenfield
Senior Staff Attorney
WI Legislative Council
(608) 267-9485

Hanaman, Cathlene

From: Esser, Jennifer
Sent: Friday, June 03, 2011 4:38 PM
To: Hanaman, Cathlene
Cc: Sappenfield, Anne
Subject: RE: Edits to /2

I'm thinking that what you'll have done by then will be 97% done...all that would be left are minor tweaks that would not take you long to modify should the need arise on Monday morning.

I think the /1 is a good idea.

From: Hanaman, Cathlene
Sent: Friday, June 03, 2011 4:35 PM
To: Esser, Jennifer
Cc: Sappenfield, Anne
Subject: RE: Edits to /2

At the moment it is becoming a /p3, but if you're sending it to Bob today do you want this version to be the /1?

From: Esser, Jennifer
Sent: Friday, June 03, 2011 4:27 PM
To: Hanaman, Cathlene
Subject: Edits to /2

First of all, thank you so much for all you've done. I know Anne will be sending you some modest changes. I do need to get this over to Bob Lang at Fiscal bureau yet tonight...any idea how long it make take?

I know you want to start your weekend asap. Many, many thanks.

Jen