

1 **(15m) EMPLOYER RESTRICTIONS.** (a) Except as provided in par. (b), an employer
2 may prohibit a licensee or an out-of-state licensee that it employs from carrying a
3 concealed weapon or a particular type of concealed weapon in the course of the
4 licensee's or out-of-state licensee's employment or during any part of the licensee's
5 or out-of-state licensee's course of employment.

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

12 **(16) PROHIBITED ACTIVITY.** ^a (am) ^(a) 1. Except as provided in ~~sub. 2~~ ^{par. (b)} 2, neither a
13 licensee nor an out-of-state licensee may knowingly carry a concealed weapon, a
14 weapon that is not concealed, or a firearm that is not a weapon in any of the following
15 places:

16 ^{1.} a. Any portion of a building that is a police station, sheriff's office, state patrol
17 station, or the office of a division of criminal investigation special agent of the
18 department.

19 ^{2.} b. Any portion of a building that is a prison, jail, house of correction, or secured
20 correctional facility.

21 ^{3.} c. The facility established under s. 46.055.

22 ^{4.} d. The center established under s. 46.056.

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

- 1 f. Any portion of a building that is a county, state, or federal courthouse.
- 2 g. Any portion of a building that is a municipal courtroom if court is in session.
- 3 h. A place beyond a security checkpoint in an airport.
- 4 ~~2.~~ The prohibitions under ^{subd. 1} ~~subd. 1~~ do not apply to any of the following:
 - 5 a. A weapon in a vehicle driven or parked in a parking facility located in a
 - 6 building that is used as, or any portion of which is used as, a location under ~~subd. 1~~ ^{subd. 1 (a)}
 - 7 b. A weapon in a courthouse or courtroom if a judge who is a licensee is carrying
 - 8 the weapon or if another licensee or out-of-state licensee, whom a judge has
 - 9 permitted in writing to carry a weapon, is carrying the weapon.
 - 10 c. ^{3.} A weapon in a courthouse or courtroom if a district attorney, or an assistant
 - 11 district attorney, who is a licensee is carrying the weapon.

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

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

16 (ag) Any person who violates sub. (2m) (e), (12), or (12g) may be charged with
17 a violation of s. 946.12.

18 (b) Any person who violates sub. (16) ^{en} (am) may be fined not more than \$500 or
19 imprisoned for not more than 30 days or both.

20 (c) An instructor of a training course under sub. (4) (a) who intentionally
21 submits false documentation indicating that an individual has met the training
22 requirements under sub. (4) (a) may be prosecuted for a violation of s. 946.32.

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

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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 (d) A person providing a firearms training course in good faith is immune from
5 liability arising from any act or omission related to the course if the course is one
6 described in sub. (4) (a).

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

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

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

15 440.26 (3m) (a) A person who is employed in this state by a public agency as
16 a law enforcement officer to carry a concealed firearm if s. 941.23 (1) (g) 2. to 5. and
17 (2) (b) 1. to 3. applies.

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

19 440.26 (3m) (b) A qualified out-of-state law enforcement officer, as defined in
20 s. 941.23 (1) (g), to carry a concealed firearm if s. 941.23 (2) (b) 1. to 3. applies.

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

22 440.26 (3m) (c) A former officer, as defined in s. 941.23 (1) (c), to carry a
23 concealed firearm if s. 941.23 (2) (c) 1. to 7. applies.

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

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

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

5 813.12 **(6)** (am) 1. If an injunction is issued or extended under sub. (4) or if a
6 tribal injunction is filed under s. 806.247 (3), the clerk of the circuit court shall notify
7 the department of justice of the injunction and shall provide the department of
8 justice with information concerning the period during which the injunction is in
9 effect and information necessary to identify the respondent for purposes of a firearms
10 restrictions record search under s. 175.35 (2g) (c) or a background check under s.
11 175.60 (9g) (a).

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

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

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

20 813.125 **(5r)** (a) If an order prohibiting a respondent from possessing a firearm
21 is issued under sub. (4m), the clerk of the circuit court shall notify the department
22 of justice of the existence of the order prohibiting a respondent from possessing a
23 firearm and shall provide the department of justice with information concerning the
24 period during which the order is in effect and information necessary to identify the

1 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
2 (c) or a background check under s. 175.60 (9g) (a).

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

4 895.527 (5) (a) Section 167.30 (1), 941.20 (1) (d) or 948.605 or any rule
5 promulgated under those sections regulating or prohibiting the discharge of
6 firearms.

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

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

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

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

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

1 941.23 (2) (intro.) Any person ~~except a peace officer, other than one of the~~
2 ~~following, who goes armed with~~ carries a concealed and dangerous weapon is guilty
3 of a Class A misdemeanor. ~~Notwithstanding:~~

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

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

8 941.23 (1) In this section:

9 (ag) "Carry" has the meaning given in s. 175.60 (1) (ag).

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

11 (b) "Firearm silencer" has the meaning given in s. 941.298 (1).

12 (c) "Former officer" means a person who served as a law enforcement officer
13 with a law enforcement agency before separating from law enforcement service.

14 (d) "Law enforcement agency" has the meaning given in s. 175.49 (1) (f).

15 (e) "Law enforcement officer" has the meaning given in s. 175.49 (1) (g).

16 (f) "Machine gun" has the meaning given in s. 941.27 (1).

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

19 1. The person is employed by a state or local government agency in another
20 state.

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

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

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

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

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

3 941.23 (2) (b) A qualified out-of-state law enforcement officer. This paragraph
4 applies only if all of the following apply:

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

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

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

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

9 941.23 (2) (c) A former officer. This paragraph applies only if all of the following
10 apply:

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

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

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

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

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

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

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

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

1 7. The former officer is not prohibited under federal law from possessing a
2 firearm.

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

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

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

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

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

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

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

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

1 meet the standards for qualification in firearms training that that law enforcement
2 agency sets for active ^e duty law enforcement officers to carry a firearm of the same
3 type as the firearm that the former officer is carrying.

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

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

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

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

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

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

24 941.235 (2) (intro.) This section does not apply to peace any of the following:

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

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

8 941.235 (2) (c) A qualified out-of-state law enforcement officer, as defined in
9 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

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

11 941.235 (2) (d) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
12 (2) (c) 1. to 7. applies.

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

14 941.235 (2) (e) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
15 licensee, as defined in s. 175.60 (1) (g).

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

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

20 941.237 (3) (ct) 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 66.** 941.237 (3) (cx) of the statutes is created to read:

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

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

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

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

4 941.295 (1c) (b) "Licensee" has the meaning given in s. 175.60 (1) (d).

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

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

7 941.295 (2) (intro.) Subsection (1) (1m) does not apply to any of the following:

8 **SECTION 71.** 941.295 (2) (d) of the statutes is renumbered 941.295 (2) (d) (intro.)

9 and amended to read:

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

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

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

16 941.295 (2) (d) 2. A person for use in his or her dwelling or place of business
17 or on land that he or she owns, leases, or legally occupies.

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

19 941.295 (2g) The prohibition in sub. (1m) on possessing or going armed with
20 an electric weapon does not apply to any of the following:

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

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

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

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

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

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

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

9 941.295 (1c) (intro.) In this section, “electric:

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

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

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

15 943.13 (1e) (aL) “Carry” has the meaning given in s. 175.60 (1) (ag).

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

17 943.13 (1e) (bm) “Licensee” means a licensee, as defined in s. 175.60 (1) (d), or
18 an out-of-state licensee, as defined in s. 175.60 (1) (g).

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

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

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

1 943.13 (1e) (g) "Out-of-state licensee" has the meaning given in s. 175.60 (1)

2 (g).

of not more than 3 weeks

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

4 943.13 (1e) (h) "Special event" means an event that is open to the public, is for

5 a limited duration, and either has designated entrances to and from the event that

6 are locked when the event is closed or requires an admission.

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

8 943.13 (1m) (b) Enters or remains on any land of another after having been

9 notified by the owner or occupant not to enter or remain on the premises. This

10 paragraph does not apply to a licensee or out-of-state licensee if the owner's or

11 occupant's intent is to prevent the licensee or out-of-state licensee from carrying a

12 firearm on the owner's or occupant's land.

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

14 943.13 (1m) (c) 1. While carrying a firearm, enters or remains at a residence

15 that the actor does not own or occupy after the owner of the residence, if he or she

16 has not leased it to another person, or the occupant of the residence has notified the

17 actor not to enter or remain at the residence while carrying a firearm or with that

18 type of firearm. In this subdivision, "residence," with respect to a single-family

19 residence, includes the residence building and the parcel of land upon which the

20 residence building is located, and "residence," with respect to a residence that is not

21 a single-family residence, does not include any common area of the building in which

22 the residence is located or any common areas of the rest of the parcel of land upon

23 which the residence building is located.

24 1m. While carrying a firearm, enters or remains in a common area in a building,

25 that is a residence that is not a single-family residence if the actor does not own the

or on the grounds of a building

1 residence or does not occupy any part of the residence, if the owner of the residence
2 has notified the actor not to enter or remain in the common area while carrying a
3 firearm or with that type of firearm. *INS 52-3* *or on the grounds*

4 2. While carrying a firearm, enters or remains in any part of a nonresidential
5 building, grounds of a nonresidential building, or land that the actor does not own
6 or occupy after the owner of the building, grounds, or land, if that part of the building,
7 grounds, or land has not been leased to another person, or the occupant of that part
8 of the building, grounds, or land has notified the actor not to enter or remain in that
9 part of the building, grounds, or land while carrying a firearm or with that type of
10 firearm. This subdivision does not apply to a part of a building, grounds, or land
11 occupied by the state or by a local governmental unit, to a privately or publicly owned
12 building on the grounds of a university or college, or to the grounds of or land owned
13 or occupied by a university of college, or, if the firearm is in a vehicle driven or parked
14 in the parking facility, to any part of a building, grounds, or land used as a parking
15 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 4. Enters or remains in any part of a building that is owned, occupied, or
22 controlled by the state or any local governmental unit, excluding any building or
23 portion of a building under s. 175.60 (16) *(a)(1)*, if the state or local governmental
24 unit has notified the actor not to enter or remain in the building while carrying a
25 firearm or with that type of firearm. This subdivision does not apply to a person who

1 leases residential or business premises in the building or, if the firearm is in a vehicle
2 driven or parked in the parking facility, to any part of the building used as a parking
3 facility.

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

10 **SECTION 84.** 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 85.** 943.13 (2) (bm) of the statutes is created to read:

INS 54-4

5
7

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

13 b. For the purposes of sub. (1m) (c) 2., an owner or occupant of the grounds of
14 a nonresidential building or of land has notified an individual not to enter or remain
15 on the grounds or land while carrying a firearm or with a particular type of firearm
16 if the owner or occupant has posted a sign that is located in a prominent place near
17 all probable access points to the grounds or land to which the restriction applies and
18 any individual entering the grounds or land can be reasonably expected to see the
19 sign.

20 c. For the purposes of sub. (1m) (c) 3., the organizers of the special event have
21 notified an individual not to enter or remain at the special event while carrying a
22 firearm or with a particular type of firearm if the organizers have posted a sign that
23 is located in a prominent place near all of the entrances to the special event and any
24 individual attending the special event can be reasonably expected to see the sign.

25 SECTION 86. 943.13 (3) of the statutes is amended to read:

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 87.** 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 88.** 947.01 of the statutes is renumbered 947.01 (1).

20 **SECTION 89.** 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
22 violation of, and may not be charged with a violation of, this section for loading,
23 carrying, or going armed with a firearm, without regard to whether the firearm is
24 loaded or is concealed or openly carried.

25 **SECTION 90.** 947.011 (2) (a) 1. of the statutes is amended to read:

*that indicates a
criminal or
malicious intent
on the
part
of
the
person*

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 91.** 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 92.** 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 93.** 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 94.** 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 95.** 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 96.** 948.605 (2) (b) 1., 2., 4., 5. and 7. of the statutes are repealed.

5 **SECTION 97.** 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), or an out-of-state licensee, as defined in s. 175.60 (1) (g).

10 **SECTION 98.** 948.605 (2) (b) 6. of the statutes is renumbered 948.605 (2) (b) 2m.
11 and amended to read:

12 948.605 (2) (b) 2m. ~~By a law enforcement officer or~~ A state-certified
13 commission warden acting in his or her official capacity; ~~or,~~

14 **SECTION 99.** 948.605 (2) (b) 8. of the statutes is renumbered 948.605 (2) (b) 3m.
15 and amended to read:

16 948.605 (2) (b) 3m. ~~By a~~ A person who is legally hunting in a school forest if
17 the school board has decided that hunting may be allowed in the school forest under
18 s. 120.13 (38).

19 **SECTION 100.** 968.255 (1) (a) 2. of the statutes is amended to read:

20 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30 (1), 940.19,
21 941.20 (1), 941.23, 941.237, 941.24, 948.60, or 948.61.

22 **SECTION 101.** 971.37 (1m) (a) 2. of the statutes is amended to read:

23 971.37 (1m) (a) 2. An adult accused of or charged with a criminal violation of
24 s. 940.19, 940.20 (1m), 940.201, 940.225, 940.23, 940.285, 940.30, 940.42, 940.43,
25 940.44, 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49,

1 947.01 (1), 947.012 or 947.0125 and the conduct constituting the violation involved
2 an act by the adult person against his or her spouse or former spouse, against an
3 adult with whom the adult person resides or formerly resided or against an adult
4 with whom the adult person has created a child.

5 **SECTION 102.** 973.055 (1) (a) 1. of the statutes is amended to read:

6 973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified
7 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,
8 940.225, 940.23, 940.235, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44,
9 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1),
10 947.012 or 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20,
11 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1), 947.012 or 947.0125; and

12 **SECTION 103. Nonstatutory provisions.**

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

22 **SECTION 104. Effective dates.** This act takes effect on the first day of the 4th
23 month beginning after publication, except as follows:

INS
58.22

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2204/p4insch
CMH:.....

1 Insert 28-8

2 2. The department shall conduct a criminal history record search and shall
3 search its records and conduct a search in the national instant criminal background
4 check system to determine whether the applicant is prohibited from possessing a
5 firearm under federal law; whether the applicant is prohibited from possessing a
6 firearm under s. 941.29;
7

8 Insert 52-3

9 ~~not~~ This subdivision does not apply to a part of the grounds of the building if that
10 part is used for parking and the firearm is in a vehicle driven or parked in that part.
11

12 Insert 54-4

13 a. For the purposes of sub. (1m) (c) 1m., an owner of a residence that is not a
14 single-family residence has notified an individual not to enter or remain in a part
15 of that building, or on the grounds of that building, while carrying a firearm or with
16 a particular type of firearm if the owner has posted a sign that is located in a
17 prominent place near all of the entrances to the part of the building to which the
18 restriction applies or near all probable access points to the grounds to which the
19 restrictions applies and any individual entering the building or the grounds can be
20 reasonably expected to see the sign.
21

22 Insert 58-22

create
auto ref

↓
#

- 1 (0) Notwithstanding section 175.60 (9) (b) of the statutes, as created by this act,
2 beginning on the effective date of this subsection and ending on the first day of the
3 5th month beginning after the effective date of this subsection, the department of
4 justice shall, as soon as practicable and without delay, but no longer than 45 days,
5 after receiving a complete application under section 175.60 (7) of the statutes, as
6 created by this act, for a license to carry a concealed weapon, do one of the following:
7 (a) Issue the license and promptly send the licensee his or her license document
8 by 1st class mail.
9 (b) Deny the application, but only if section 175.60 (3) (a), (b), (c), (d), (e), (f), or
10 (g) of the statutes, as created by this act, applies to the applicant. If the department
11 denies the application, the department shall inform the applicant in writing, stating
12 the reason and factual basis for the denial.

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.

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.

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.

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

ms
3918

use
June
15
to
21

Handwritten initials/signature