

1 **(17) PENALTIES.** (a) Any person who violates sub. (2g) (b) or (c) may be required
2 to forfeit not more than \$25. (N) 39-2

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

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

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

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

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

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

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

24 **(19) STATISTICAL REPORT.** By March 1 of each year, the department shall submit
25 a statistical report to the legislature under s. 13.172 (2) and to the governor that

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

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

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

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

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

23 **SECTION 39.** 440.26 (3m) of the statutes is renumbered 440.26 (3m) (intro.) and
24 amended to read:

1 440.26 (3m) RULES CONCERNING DANGEROUS WEAPONS. (intro.) The department
2 shall promulgate rules relating to the carrying of dangerous weapons by a person
3 who holds a license or permit issued under this section or who is employed by a
4 person licensed under this section. The rules shall meet the minimum requirements
5 specified in 15 USC 5902 (b); and shall allow all of the following:

6 **SECTION 40.** 440.26 (3m) (a) of the statutes is created to read:

7 440.26 (3m) (a) A person who is employed in this state by a public agency as
8 a law enforcement officer to carry a concealed firearm if s. 941.23 (1) (g) 2. to 5. and
9 (2) (b) 1. to 3. applies.

10 **SECTION 41.** 440.26 (3m) (b) of the statutes is created to read:

11 440.26 (3m) (b) A qualified out-of-state law enforcement officer, as defined in
12 s. 941.23 (1) (g), to carry a concealed firearm if s. 941.23 (2) (b) 1. to 3. applies.

13 **SECTION 42.** 440.26 (3m) (c) of the statutes is created to read:

14 440.26 (3m) (c) A former officer, as defined in s. 941.23 (1) (c), to carry a
15 concealed firearm if s. 941.23 (2) (c) 1. to 7. applies.

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

17 440.26 (3m) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
18 licensee, as defined in s. 175.60 (1) (g), to carry a concealed weapon as permitted
19 under s. 175.60.

20 **SECTION 44.** 813.12 (6) (am) 1. of the statutes is amended to read:

21 813.12 (6) (am) 1. If an injunction is issued or extended under sub. (4) or if a
22 tribal injunction is filed under s. 806.247 (3), the clerk of the circuit court shall notify
23 the department of justice of the injunction and shall provide the department of
24 justice with information concerning the period during which the injunction is in
25 effect and information necessary to identify the respondent for purposes of a firearms

1 restrictions record search under s. 175.35 (2g) (c) or a background check under s.
2 175.60 (9g) (a).

3 **SECTION 45.** 813.122 (9) (am) 1. of the statutes is amended to read:

4 813.122 (9) (am) 1. If an injunction is issued or extended under sub. (5), the
5 clerk of the circuit court shall notify the department of justice of the injunction and
6 shall provide the department of justice with information concerning the period
7 during which the injunction is in effect and information necessary to identify the
8 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
9 (c) or a background check under s. 175.60 (9g) (a).

10 **SECTION 46.** 813.125 (5r) (a) of the statutes is amended to read:

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

18 **SECTION 47.** 895.527 (5) (a) of the statutes is amended to read:

19 895.527 (5) (a) Section 167.30 (1), 941.20 (1) (d) or 948.605 or any rule
20 promulgated under those sections regulating or prohibiting the discharge of
21 firearms.

22 **SECTION 48.** 938.396 (2g) (n) of the statutes is amended to read:

23 938.396 (2g) (n) *Firearms restriction record search or background check.* If a
24 juvenile is adjudged delinquent for an act that would be a felony if committed by an
25 adult, the court clerk shall notify the department of justice of that fact. No other

1 information from the juvenile's court records may be disclosed to the department of
2 justice except by order of the court. The department of justice may disclose any
3 information provided under this subsection only as part of a firearms restrictions
4 record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

5 **SECTION 49.** 939.22 (10) of the statutes is amended to read:

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

13 **SECTION 50.** 941.23 of the statutes is renumbered 941.23 (2) (intro.) and
14 amended to read:

15 941.23 (2) (intro.) Any person ~~except a peace officer, other than one of the~~
16 following, who goes armed with carries a concealed and dangerous weapon is guilty
17 of a Class A misdemeanor. ~~Notwithstanding:~~

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

21 **SECTION 51.** 941.23 (1) of the statutes is created to read:

22 941.23 (1) In this section:

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

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

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

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

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

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

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

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

8 1. The person is employed by a state or local government agency in another
9 state.

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

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

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

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

16 **SECTION 52.** 941.23 (2) (b) of the statutes is created to read:

17 941.23 (2) (b) A qualified out-of-state law enforcement officer. This paragraph
18 applies only if all of the following apply:

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

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

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

22 **SECTION 53.** 941.23 (2) (c) of the statutes is created to read:

23 941.23 (2) (c) A former officer. This paragraph applies only if all of the following
24 apply:

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

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

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

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

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

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

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

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

16 7. The former officer is not prohibited under federal law from possessing a
17 firearm.

18 **SECTION 54.** 941.23 (2) (d) of the statutes is created to read:

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

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

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

5 **SECTION 56.** 941.23 (3) of the statutes is created to read:

6 941.23 (3) (a) A qualified out-of-state law enforcement officer shall, while
7 carrying a concealed firearm, also have with him or her an identification card that
8 contains his or her photograph and that was issued by the law enforcement agency
9 by which he or she is employed.

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

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

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

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

23 b. A certification issued by the state in which the former officer resides, if the
24 former officer resides in another state, that indicates that, within the 12 months
25 preceding the date on which the former officer is carrying the concealed firearm, he

1 or she has been found by the state in which he or she resides, or by a certified firearms
2 instructor if such an instructor is qualified to conduct a firearms qualification test
3 for active law enforcement officers in that state, to meet the standards for
4 qualification in firearms training for active law enforcement officers to carry a
5 firearm of the type he or she is carrying, that are established by his or her state of
6 residence or, if that state does not establish standards, by any law enforcement
7 agency in his or her state of residence.

8 (c) A person who violates this subsection may be required to forfeit not more
9 than \$25 *MS 39-2*

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

12 **SECTION 57.** 941.235 (2) of the statutes is renumbered 941.235 (2) (intro.) and
13 amended to read:

14 941.235 (2) (intro.) This section does not apply to ~~peace~~ any of the following:

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

21 **SECTION 58.** 941.235 (2) (c) of the statutes is created to read:

22 941.235 (2) (c) A qualified out-of-state law enforcement officer, as defined in
23 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

24 **SECTION 59.** 941.235 (2) (d) of the statutes is created to read:

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

2 (2) (c) 1. to 7. applies.

3 **SECTION 60.** 941.235 (2) (e) of the statutes is created to read:

4 941.235 (2) (e) 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).

6 **SECTION 61.** 941.237 (3) (cr) of the statutes is created to read:

7 941.237 (3) (cr) A qualified out-of-state law enforcement officer, as defined in
8 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

9 **SECTION 62.** 941.237 (3) (ct) of the statutes is created to read:

10 941.237 (3) (ct) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
11 (2) (c) 1. to 7. applies.

12 **SECTION 63.** 941.237 (3) (cx) of the statutes is created to read:

13 941.237 (3) (cx) 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 licensee or out-of-state licensee is not
15 consuming alcohol on the premises.

16 **SECTION 64.** 941.237 (4) of the statutes is repealed.

17 **SECTION 65.** 941.295 (1) of the statutes is renumbered 941.295 (1m).

18 **SECTION 66.** 941.295 (1c) (b) and (c) of the statutes are created to read:

19 941.295 (1c) (b) "Licensee" has the meaning given in s. 175.60 (1) (d).

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

21 **SECTION 67.** 941.295 (2) (intro.) of the statutes is amended to read:

22 941.295 (2) (intro.) Subsection ~~(1)~~ (1m) does not apply to any of the following:

23 **SECTION 68.** 941.295 (2) (d) of the statutes is renumbered 941.295 (2) (d) (intro.)

24 and amended to read:

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

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

6 **SECTION 69.** 941.295 (2) (d) 2. of the statutes is created to read:

7 941.295 (2) (d) 2. A person for use in his or her dwelling or place of business
8 or on land that he or she owns, leases, or legally occupies.

9 **SECTION 70.** 941.295 (2g) of the statutes is created to read:

10 941.295 (2g) The prohibition in sub. (1m) on possessing or going armed with
11 an electric weapon does not apply to any of the following:

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

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

16 **SECTION 71.** 941.295 (2r) of the statutes is created to read:

17 941.295 (2r) The prohibition in sub. (1m) on transporting an electric weapon
18 does not apply to any of the following:

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

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

23 **SECTION 72.** 941.295 (4) of the statutes is renumbered 941.295 (1c) (intro.) and
24 amended to read:

25 941.295 (1c) (intro.) In this section, “electric:

1 (a) "Electric weapon" means any device which is designed, redesigned, used or
2 intended to be used, offensively or defensively, to immobilize or incapacitate persons
3 by the use of electric current.

4 **SECTION 73.** 943.13 (1e) (a) of the statutes is renumbered 943.13 (1e) (ar).

5 **SECTION 74.** 943.13 (1e) (aL) of the statutes is created to read:

6 943.13 (1e) (aL) "Carry" has the meaning given in s. 175.60 (1) (ag).

7 **SECTION 75.** 943.13 (1e) (bm) of the statutes is created to read:

8 943.13 (1e) (bm) "Licensee" means a licensee, as defined in s. 175.60 (1) (d), or
9 an out-of-state licensee, as defined in s. 175.60 (1) (g).

10 **SECTION 76.** 943.13 (1e) (cm) of the statutes is created to read:

11 943.13 (1e) (cm) "Nonresidential building" includes a nursing home as defined
12 in s. 50.01 (3), a community-based residential facility as defined in s. 50.01 (1g), a
13 residential care apartment complex as defined in s. 50.01 (1d), an adult family home
14 as defined in s. 50.01 (1), and a hospice as defined in s. 50.90 (1).

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

16 943.13 (1e) (g) "Out-of-state licensee" has the meaning given in s. 175.60 (1)
17 (g).

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

19 943.13 (1e) (h) "Special event" means an event that is open to the public, is for
20 a duration of not more than 3 weeks, and either has designated entrances to and from
21 the event that are locked when the event is closed or requires an admission.

22 **SECTION 79.** 943.13 (1m) (b) of the statutes is amended to read:

23 943.13 (1m) (b) Enters or remains on any land of another after having been
24 notified by the owner or occupant not to enter or remain on the premises. This
25 paragraph does not apply to a licensee or out-of-state licensee if the owner's or

1 occupant's intent is to prevent the licensee or out-of-state licensee from carrying a
2 firearm on the owner's or occupant's land.

3 **SECTION 80.** 943.13 (1m) (c) of the statutes is created to read:

4 943.13 (1m) (c) 1. While carrying a firearm, enters or remains at a residence
5 that the actor does not own or occupy after the owner of the residence, if he or she
6 has not leased it to another person, or the occupant of the residence has notified the
7 actor not to enter or remain at the residence while carrying a firearm or with that
8 type of firearm. In this subdivision, "residence," with respect to a single-family
9 residence, includes the residence building and the parcel of land upon which the
10 residence building is located, and "residence," with respect to a residence that is not
11 a single-family residence, does not include any common area of the building in which
12 the residence is located or any common areas of the rest of the parcel of land upon
13 which the residence building is located.

14 1m. While carrying a firearm, enters or remains in a common area in a building,
15 or on the grounds of a building, that is a residence that is not a single-family
16 residence if the actor does not own the residence or does not occupy any part of the
17 residence, if the owner of the residence has notified the actor not to enter or remain
18 in the common area or on the grounds while carrying a firearm or with that type of
19 firearm. This subdivision does not apply to a part of the grounds of the building if
20 that part is used for parking and the firearm is in a vehicle driven or parked in that
21 part.

22 2. While carrying a firearm, enters or remains in any part of a nonresidential
23 building, grounds of a nonresidential building, or land that the actor does not own
24 or occupy after the owner of the building, grounds, or land, if that part of the building,
25 grounds, or land has not been leased to another person, or the occupant of that part

1 of the building, grounds, or land has notified the actor not to enter or remain in that
2 part of the building, grounds, or land while carrying a firearm or with that type of
3 firearm. This subdivision does not apply to a part of a building, grounds, or land
4 occupied by the state or by a local governmental unit, to a privately or publicly owned
5 building on the grounds of a university or college, or to the grounds of or land owned
6 or occupied by a university or college, or, if the firearm is in a vehicle driven or parked
7 in the parking facility, to any part of a building, grounds, or land used as a parking
8 facility.

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

14 4. Enters or remains in any part of a building that is owned, occupied, or
15 controlled by the state or any local governmental unit, excluding any building or
16 portion of a building under s. 175.60 (16) (a), if the state or local governmental unit
17 has notified the actor not to enter or remain in the building while carrying a firearm
18 or with that type of firearm. This subdivision does not apply to a person who leases
19 residential or business premises in the building or, if the firearm is in a vehicle driven
20 or parked in the parking facility, to any part of the building used as a parking facility.

21 5. Enters or remains in any privately or publicly owned building on the grounds
22 of a university or college, if the university or college has notified the actor not to enter
23 or remain in the building while carrying a firearm or with that type of firearm. This
24 subdivision does not apply to a person who leases residential or business premises

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

3 **SECTION 81.** 943.13 (2) of the statutes is renumbered 943.13 (2) (am), and
4 943.13 (2) (am) (intro.) and 1., as renumbered, are amended to read:

5 943.13 (2) (am) (intro.) A person has received notice from the owner or occupant
6 within the meaning of sub. (1m) (b), (e) or (f) if he or she has been notified personally,
7 either orally or in writing, or if the land is posted. Land is considered to be posted
8 under this ~~subsection~~ paragraph under either of the following procedures:

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

18 **SECTION 82.** 943.13 (2) (bm) of the statutes is created to read:

19 943.13 (2) (bm) 1. In this paragraph, "sign" means a sign that states a
20 restriction imposed under subd. 2. that is at least 5 inches by 7 inches.

21 2. a. For the purposes of sub. (1m) (c) 1m., an owner of a residence that is not
22 a single-family residence has notified an individual not to enter or remain in a part
23 of that building, or on the grounds of that building, while carrying a firearm or with
24 a particular type of firearm if the owner has posted a sign that is located in a
25 prominent place near all of the entrances to the part of the building to which the

1 restriction applies or near all probable access points to the grounds to which the
2 restriction applies and any individual entering the building or the grounds can be
3 reasonably expected to see the sign.

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

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

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

24 **SECTION 83.** 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 84.** 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 85.** 947.01 of the statutes is renumbered 947.01 (1).

20 **SECTION 86.** 947.01 (2) of the statutes is created to read:

21 947.01 (2) Unless other facts and circumstances that indicate a criminal or
22 malicious intent on the part of the person apply, a person is not in violation of, and
23 may not be charged with a violation of, this section for loading, carrying, or going
24 armed with a firearm, without regard to whether the firearm is loaded or is concealed
25 or openly carried.

1 **SECTION 87.** 947.011 (2) (a) 1. of the statutes is amended to read:

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

5 **SECTION 88.** 947.011 (2) (c) 1. of the statutes is amended to read:

6 947.011 (2) (c) 1. Engage in conduct that is prohibited under s. 947.01 (1) within
7 500 feet of any entrance to a facility being used for the service.

8 **SECTION 89.** 947.011 (2) (d) of the statutes is amended to read:

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

11 **SECTION 90.** 948.60 (1) of the statutes is amended to read:

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

21 **SECTION 91.** 948.605 (2) (a) of the statutes is amended to read:

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

1 possesses a firearm at a place that the individual knows, or has reasonable cause to
2 believe, is within 1,000 feet of the grounds of a school is subject to a Class B forfeiture.

3 **SECTION 92.** 948.605 (2) (b) (intro.) of the statutes is amended to read:

4 948.605 (2) (b) (intro.) Paragraph (a) does not apply to the possession of a
5 firearm by any of the following:

6 **SECTION 93.** 948.605 (2) (b) 1., 2., 4., 5. and 7. of the statutes are repealed.

7 **SECTION 94.** 948.605 (2) (b) 1m. and 1r. of the statutes are created to read:

8 948.605 (2) (b) 1m. A person who possesses the firearm in accordance with 18
9 USC 922 (q) (2) (B) (i), (iv), (v), (vi), or (vii).

10 1r. Except if the person is in or on the grounds of a school, a licensee, as defined
11 in s. 175.60 (1) (d), or an out-of-state licensee, as defined in s. 175.60 (1) (g).

12 **SECTION 95.** 948.605 (2) (b) 6. of the statutes is renumbered 948.605 (2) (b) 2m.
13 and amended to read:

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

16 **SECTION 96.** 948.605 (2) (b) 8. of the statutes is renumbered 948.605 (2) (b) 3m.
17 and amended to read:

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

21 **SECTION 97.** 968.255 (1) (a) 2. of the statutes is amended to read:

22 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30 (1), 940.19,
23 941.20 (1), 941.23, 941.237, 941.24, 948.60, or 948.61.

24 **SECTION 98.** 971.37 (1m) (a) 2. of the statutes is amended to read:

1 971.37 (1m) (a) 2. An adult accused of or charged with a criminal violation of
2 s. 940.19, 940.20 (1m), 940.201, 940.225, 940.23, 940.285, 940.30, 940.42, 940.43,
3 940.44, 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49,
4 947.01 (1), 947.012 or 947.0125 and the conduct constituting the violation involved
5 an act by the adult person against his or her spouse or former spouse, against an
6 adult with whom the adult person resides or formerly resided or against an adult
7 with whom the adult person has created a child.

8 **SECTION 99.** 973.055 (1) (a) 1. of the statutes is amended to read:

9 973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified
10 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,
11 940.225, 940.23, 940.235, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44,
12 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1),
13 947.012 or 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20,
14 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1), 947.012 or 947.0125; and

15 **SECTION 100. Nonstatutory provisions.**

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



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT (LRBs0135/2),
TO 2011 SENATE BILL 93**

use (2x)
INS
39-2
KJA

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 39, line 2: after "\$25" insert ", except that the person shall be exempted
3 from the forfeiture if the person presents, within 48 hours, his or her license
4 document or out-of-state license and photographic identification to the law
5 enforcement agency that employs the requesting law enforcement officer". ✓

6 **2.** Page 43, line 12: after that line insert:

7 "SECTION 49m. 939.632 (1) (e) 3. of the statutes is amended to read:
8 939.632 (1) (e) 3. Any misdemeanor under s. 940.19 (1), 940.225 (3m), 940.32
9 (2), 940.42, 940.44, 941.20 (1), 941.23 (2d), 941.235, 941.24 or 941.38 (3).".

10 **3.** Page 43, line 15: delete "Any" and substitute "Any Except as provided in
11 sub. (2d), any".