



2011 ASSEMBLY BILL 384

November 16, 2011 – Introduced by Representatives TAUCHEN, CRAIG, SINICKI, PETRYK, KLEEFISCH, RIVARD, KRUG, ENDSLEY and SPANBAUER, cosponsored by Senators SCHULTZ and TAYLOR. Referred to Committee on Natural Resources.

1 **AN ACT** *to amend* 29.161 (2), 29.164 (2) (b), 29.173 (2) (a), 29.173 (2) (b) (intro.),
2 29.182 (3) (a), 29.182 (3) (b), 29.184 (3) (c), 29.193 (2) (cr) 1., 29.193 (2) (cr) 2.,
3 29.204 (2), 29.207 (2), 29.211 (2) and 29.213 (2); and *to create* 29.001 (17),
4 29.001 (19m) and 29.014 (1m) of the statutes; **relating to:** weapons that may
5 be used to hunt certain animals and requirements for establishing open
6 hunting seasons for those animals.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) issues hunting licenses that authorize the hunting of specified animals such as deer, bear, and small game. Those licenses also specify the type of weapon that may be used when hunting under those licenses. For example, a deer hunting license authorizes the holder of the license to only hunt with a firearm but a Class A bear license authorizes the license holder to hunt with a firearm, a bow and arrow, and under certain circumstances a crossbow. DNR also establishes seasons during which the hunting of certain animals with a specified weapon is allowed.

This bill expands the types of weapons that may be used under the authority of a deer, elk, wild turkey, small game, and Class A bear hunting license. Under the bill, each of these licenses authorizes a person to hunt with a firearm, a bow and arrow, or a crossbow. The bill eliminates the requirement that a person must be at least 65 years old or be disabled and hold a crossbow permit in order to hunt with a

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crossbow under the authority of any of these licenses. The bill does not change current law, which also allows the use of an airgun under the authority of a small game license. It also does not change current law under which a person who holds an archer hunting license may use a crossbow only if the person has attained the age of 65 or holds a permit that authorizes the use of a crossbow.

This bill also specifies that, when DNR opens a hunting season for the purpose of hunting deer, elk, wild turkey, small game, or bear with any firearm, DNR must also allow the use of a bow and arrow and a crossbow during that open season by a person who holds the appropriate license. The bill further provides that, if DNR establishes an open season for hunting deer, elk, small game, wild turkey, or bear with a bow and arrow, but not with a firearm, then DNR may not open the season for hunting those animals with a crossbow. This prohibition does not apply under the bill to a person who is authorized under current law to use a crossbow based on age or disability.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 29.001 (17) of the statutes is created to read:

2 29.001 (17) “Bow,” when used with reference to hunting, means a bow, drawn
3 and held by and through the effort of the person releasing it, but does not include a
4 crossbow.

5 **SECTION 2.** 29.001 (19m) of the statutes is created to read:

6 29.001 (19m) “Crossbow” means any device using a bow that, once drawn, is
7 held solely by means other than the effort of the person firing it.

8 **SECTION 3.** 29.014 (1m) of the statutes is created to read:

9 29.014 (1m) (a) If the department establishes an open season for hunting deer,
10 elk, small game, wild turkey, or bear with a firearm, the season shall also be open for
11 hunting that animal with a crossbow and a bow and arrow.

12 (b) If the department establishes an open season for hunting deer, elk, small
13 game, wild turkey, or bear with a bow and arrow but not with a firearm, the

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1 department may not open that season for hunting with a crossbow except by a person
2 who has attained the age of 65 or by a person who is authorized to hunt with a
3 crossbow by a permit issued under s. 29.171 (4) (a) or 29.193 (2).

4 **SECTION 4.** 29.161 (2) of the statutes is amended to read:

5 29.161 (2) A resident small game hunting license authorizes hunting with a
6 firearm, airgun, ~~or~~ bow and arrow, ~~or with a~~ crossbow ~~if the holder of the license has~~
7 ~~a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes~~
8 ~~hunting with a crossbow, has a crossbow permit issued under s. 29.171 (4) (a), or has~~
9 ~~attained the age of 65 years.~~

10 **SECTION 5.** 29.164 (2) (b) of the statutes is amended to read:

11 29.164 (2) (b) *Type of hunting authorized.* A license issued under this section
12 authorizes hunting with a firearm ~~or~~ bow and arrow, ~~or with a~~ crossbow ~~if the holder~~
13 ~~of the license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that~~
14 ~~authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171~~
15 ~~(4) (a), or has attained the age of 65 years.~~

16 **SECTION 6.** 29.173 (2) (a) of the statutes is amended to read:

17 29.173 (2) (a) A resident deer hunting license authorizes the hunting of deer
18 with firearms ~~only~~ a firearm, bow and arrow, or crossbow.

19 **SECTION 7.** 29.173 (2) (b) (intro.) of the statutes is amended to read:

20 29.173 (2) (b) (intro.) A qualified service member holding a current resident
21 deer hunting license may hunt deer of either sex ~~with a firearm~~ during any season
22 open to hunting of deer with firearms that is established by the department. For
23 purposes of this paragraph, a qualified service member is a member of the armed
24 forces who exhibits proof that he or she is in active service with the armed forces
25 outside this state and proof of one of the following:

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1 **SECTION 8.** 29.182 (3) (a) of the statutes is amended to read:

2 29.182 **(3)** (a) A resident elk hunting license authorizes a resident of this state
3 to hunt elk with a firearm ~~or~~, bow and arrow, or ~~with a~~ crossbow, ~~if the resident has~~
4 ~~a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes~~
5 ~~hunting with a crossbow, or if the resident has a crossbow permit issued under s.~~
6 ~~29.171 (4) (a).~~

7 **SECTION 9.** 29.182 (3) (b) of the statutes is amended to read:

8 29.182 **(3)** (b) A nonresident elk hunting license authorizes a nonresident of
9 this state to hunt elk with a firearm ~~or with a~~, bow and arrow, or crossbow.

10 **SECTION 10.** 29.184 (3) (c) of the statutes is amended to read:

11 29.184 **(3)** (c) *Type of hunting authorized.* A Class A bear license authorizes
12 hunting with a firearm ~~or~~, bow and arrow, ~~or with a~~ crossbow ~~if the holder of the~~
13 ~~license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that~~
14 ~~authorizes hunting with a crossbow or has attained the age of 65 years.~~

15 **SECTION 11.** 29.193 (2) (cr) 1. of the statutes is amended to read:

16 29.193 **(2)** (cr) 1. A person holding a current resident or nonresident deer
17 hunting license and a Class A or Class C permit may hunt deer of either sex ~~with a~~
18 ~~firearm~~ during any season open to hunting of deer with firearms that is established
19 by the department.

20 **SECTION 12.** 29.193 (2) (cr) 2. of the statutes is amended to read:

21 29.193 **(2)** (cr) 2. A Class A permit authorizes the holder to shoot or hunt from
22 a stationary vehicle, to fish or troll as authorized under sub. (1m) (b) and to hunt
23 certain game with a crossbow as authorized under ss. ~~29.161 (2), 29.164 (2) (b),~~
24 ~~29.171 (2), 29.182 (3) (a), 29.184 (3) (c), 29.204 (2), 29.207 (2), 29.213 (2), and 29.216~~
25 ~~(2).~~

