

2013 DRAFTING REQUEST

Bill

Received: **1/29/2013** Received By: **chanaman**
Wanted: **As time permits** Same as LRB:
For: **Fred Risser (608) 266-1627** By/Representing: **Sarah**
May Contact: Drafter: **chanaman**
Subject: **Criminal Law - guns and weapons** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Risser@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit firearms in the capitol and capitol park

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 2/4/2013	kfollett 2/21/2013	jmurphy 2/21/2013	_____			
/1	chanaman 3/11/2013	kfollett 3/11/2013	rschluet 3/11/2013	_____	sbasford 2/22/2013		State
/2				_____	srose 3/11/2013	srose 3/20/2013	State

FE Sent For:

→ At Intro.

<END>

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/?	chanaman	1/15/13 2/2/13	Jan 2/2/13	self			

FE Sent For:

<END>

Hanaman, Cathlene

From: Briganti, Sarah
Sent: Wednesday, January 23, 2013 1:30 PM
To: Hanaman, Cathlene
Subject: Drafting Request

Cathlene,

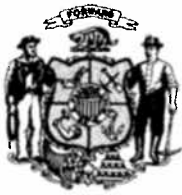
Senator Risser would like to have a bill drafted to amend Chapter 941 to prohibit firearms in the State Capitol Building and Capitol Park.

Please let me know if you have any questions,

Sarah

Sarah Briganti

Office of Senator Fred Risser
130 South. State Capitol
E:sarah.briganti@legis.wi.gov
O: 608.266.1627
C:608.712.1260



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 *great* AN ACT ...; **relating to:** prohibition against carrying firearms in the capitol or in
2 capitol park.

Analysis by the Legislative Reference Bureau

X Under current law, with several exceptions, an individual who goes armed with a firearm in any building owned or leased by the state or any political subdivision of the state is guilty of a Class A misdemeanor. Law enforcement officers, former law enforcement officers, members of the armed forces who go armed in the line of duty, and individuals with a license to carry a concealed weapon (licensees) are exempted from this general prohibition, but the state or a local government may, with proper notice, prevent individuals from going armed with a firearm in a building that is owned, occupied, or controlled by the state or the local government. A person who violates the prohibition is guilty of a Class B forfeiture. *with a firearm*

X This bill prohibits anyone, except on-duty law enforcement officers and armed forces who go armed in the line of duty, from going armed in the state capitol or on the grounds of the state capitol. A person who violates the provision is guilty of a Class A misdemeanor.

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.** 175.60 (2g) (a) of the statutes is amended to read:

2 175.60 **(2g)** (a) A licensee or an out-of-state licensee may carry a concealed
3 weapon anywhere in this state except as provided under subs. (15m) and (16) and ss.
4 941.235 (1) (b), 943.13 (1m) (c), and 948.605 (2) (b) 1r.

5 History: 2011 a. 35; s. 13.92 (1) (bm) 2.

5 **SECTION 2.** 175.60 (5) (a) 6. of the statutes is amended to read:

6 175.60 **(5)** (a) 6. A statement of the places under sub. (16) and s. 941.235 (1) (b)
7 where a licensee is prohibited from carrying a weapon, as well as an explanation of
8 the provisions under sub. (15m) and ss. 943.13 (1m) (c) and 948.605 (2) (b) 1r. that
9 could limit the places where the licensee may carry a weapon, with a place for the
10 applicant to sign his or her name to indicate that he or she has read and understands
11 the statement.

12 History: 2011 a. 35; s. 13.92 (1) (bm) 2.

12 **SECTION 3.** 941.235 (1) of the statutes is renumbered 941.235 (1) (a) and
13 amended to read:

14 941.235 **(1)** (a) Any person who goes armed with a firearm in any building,
15 except the state capitol, owned or leased by the state or in any building owned or
16 leased by any political subdivision of the state is guilty of a Class A misdemeanor.

17 History: 1979 c. 221; 1991 a. 172; 1993 a. 246; 2001 a. 109; 2007 a. 27; 2011 a. 35.

17 **SECTION 4.** 941.235 (1) (b) of the statutes is created to read:

18 941.235 **(1)** (b) Any person who goes armed with a firearm in the capitol
19 building or on the park surrounding the capitol is guilty of a Class A misdemeanor.

20 **SECTION 5.** 941.235 (2) (intro.) and (a) of the statutes are consolidated,
21 renumbered 941.235 (2) (am) and amended to read:

22 941.235 **(2)** (am) This section Subsection (1) does not apply to any of the
23 following: (a) ~~Peace~~ peace officers or who go armed while on official duty, armed
24 forces or military personnel who go armed in the line of duty, or to any person duly

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

History: 1979 c. 221; 1991 a. 172; 1993 a. 246; 2001 a. 109; 2007 a. 27; 2011 a. 35.

5 SECTION 6. 941.235 (2) (b) (intro.) of the statutes is created to read:

6 941.235 (2) (b) (intro.) Subsection (1) (a) does not apply to any of the following:

7 SECTION 7. 941.235 (2) (c), (d) and (e) of the statutes are renumbered 941.235
8 (2) (b) 1., 2. and 3.

9 SECTION 8. 943.13 (1m) (c) 4. of the statutes is amended to read:

10 943.13 (1m) (c) 4. While carrying a firearm, Enters enters or remains in any
11 part of a building that is owned, occupied, or controlled by the state, except the capitol
12 building, or by any local governmental unit, excluding any building or portion of a
13 building under s. 175.60 (16) (a), if the state or local governmental unit has notified
14 the actor not to enter or remain in the building while carrying a firearm or with that
15 type of firearm. This subdivision does not apply to a person who leases residential
16 or business premises in the building or, if the firearm is in a vehicle driven or parked
17 in the parking facility, to any part of the building used as a parking facility.

NOTE: NOTE: Drafting records indicate that the bracketed language was inadvertently removed from this provision during the drafting process. Corrective legislation is pending. NOTE:

History: 1971 c. 317; 1977 c. 173, 295; 1979 c. 32; 1983 a. 418; 1987 a. 27; 1989 a. 31; 1993 a. 342, 486; 1995 a. 45, 451; 1997 a. 248; 1999 a. 9; 2003 a. 33; 2009 a. 68; 2011 a. 35; s. 13.92 (1) (bm) 2.; s. 35.17 correction in (1m) (c) 2.

18

(END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1403/1
CMH:kjf:jm

Wednesday

2013 BILL

general

1 AN ACT *general* to renumber 941.235 (2) (c), (d) and (e); to renumber and amend
 2 941.235 (1); to consolidate, renumber and amend 941.235 (2) (intro.) and
 3 (a); to amend 175.60 (2g) (a), 175.60 (5) (a) 6. and 943.13 (1m) (c) 4.; and to
 4 create 941.235 (1) (b) and 941.235 (2) (b) (intro.) of the statutes; relating to:
 5 prohibition against carrying firearms in the capitol or in capitol park.

Analysis by the Legislative Reference Bureau

Under current law, with several exceptions, an individual who goes armed with a firearm in any building owned or leased by the state or any political subdivision of the state is guilty of a Class A misdemeanor. Law enforcement officers, former law enforcement officers, members of the armed forces who go armed in the line of duty, and individuals with a license to carry a concealed weapon are exempted from this general prohibition, but the state or a local government may, with proper notice, prevent individuals from going armed with a firearm in a building that is owned, occupied, or controlled by the state or the local government. A person who violates the prohibition is guilty of a Class B forfeiture.

This bill prohibits anyone, except on-duty law enforcement officers and armed forces who go armed in the line of duty, from going armed with a firearm in the state capitol or on the grounds of the state capitol. A person who violates the provision is guilty of a Class A misdemeanor.

es

BILL

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.** 175.60 (2g) (a) of the statutes[✓] is amended to read:

2 175.60 (2g) (a) A licensee or an out-of-state licensee may carry a concealed
3 weapon anywhere in this state except as provided under subs. (15m) and (16) and ss.
4 941.235 (1) (b), 943.13 (1m) (c), and 948.605 (2) (b) 1r.

5 **SECTION 2.** 175.60 (5) (a) 6. of the statutes[✓] is amended to read:

6 175.60 (5) (a) 6. A statement of the places under sub. (16) and s. 941.235 (1) (b)
7 where a licensee is prohibited from carrying a weapon, as well as an explanation of
8 the provisions under sub. (15m) and ss. 943.13 (1m) (c) and 948.605 (2) (b) 1r. that
9 could limit the places where the licensee may carry a weapon, with a place for the
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11 the statement.

12 **SECTION 3.** 941.235 (1) of the statutes[✓] is renumbered 941.235 (1) (a) and
13 amended to read:

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15 except the state capitol, owned or leased by the state or in any building owned or
16 leased by any political subdivision of the state is guilty of a Class A misdemeanor.

17 **SECTION 4.** 941.235 (1) (b) of the statutes[✓] is created to read:

18 941.235 (1) (b) Any person who goes armed with a firearm in the capitol
19 building or on the park surrounding the capitol^e is guilty of a Class A misdemeanor.

20 **SECTION 5.** 941.235 (2) (intro.) and (a) of the statutes[✓] are consolidated,
21 renumbered 941.235 (2) (am) and amended to read:

Rose, Stefanie

From: Briganti, Sarah
Sent: Wednesday, March 20, 2013 10:34 AM
To: LRB.Legal
Subject: Draft Review: LRB -1403/2 Topic: Prohibit firearms in the capitol and capitol park

Please Jacket LRB -1403/2 for the SENATE.