

2013 Senate Bill 527 (LRB -4088)

An Act to amend 895.527 (3) and 895.527 (4); and to create 895.527 (8), 895.527 (9) and 895.527 (10) of the statutes; relating to: liability and immunity of sport shooting ranges.

2014

01-30.	S.	Introduced by Senators S. Fitzgerald and Schultz ; cosponsored by Representatives Krug, Kleefisch, Marklein, Czaja, Tittl, Murphy, Skowronski, Ripp and Craig	618
01-30.	S.	Read first time and referred to Committee on Judiciary and Labor	618
02-13.	S.	Public hearing held	
02-14.	S.	Executive action taken	
02-14.	S.	Report introduction of Senate Amendment 1 by Committee on Judiciary and Labor, Ayes 4, Noes 0 (LRB a1816)	670
02-14.	S.	Report adoption of Senate Amendment 1 recommended by Committee on Judiciary and Labor, Ayes 4, Noes 0	670
02-14.	S.	Report passage as amended recommended by Committee on Judiciary and Labor, Ayes 3, Noes 1	670
02-14.	S.	Available for scheduling	
02-17.	S.	Placed on calendar 2-18-2014 pursuant to Senate Rule 18(1)	674
02-18.	S.	Senate Amendment 2 offered by Senators Risser, Harris, T. Cullen, Miller, Carpenter and C. Larson (LRB a1845)	678
02-18.	S.	Senate Amendment 3 offered by Senators Grothman and S. Fitzgerald (LRB a1882)	678
02-18.	S.	Read a second time	684
02-18.	S.	Senate Amendment 1 adopted	684
02-18.	S.	Senate Amendment 2 laid on table	684
02-18.	S.	Refused to table Senate Amendment 3	684
02-18.	S.	Senate Amendment 3 adopted	684
02-18.	S.	Ordered to a third reading	685
02-18.	S.	Rules suspended	685
02-18.	S.	Read a third time and passed , Ayes 19, Noes 13	685
02-18.	S.	Ordered immediately messaged	685
02-18.	A.	Received from Senate	672
02-20.	A.	Read first time and referred to committee on Rules	683
03-12.	A.	Placed on calendar 3-18-2014 by Committee on Rules	
03-18.	A.	Read a second time	
03-18.	A.	Ordered to a third reading	
03-18.	A.	Rules suspended	
03-18.	A.	Read a third time and concurred in , Ayes 65, Noes 30	
03-18.	A.	Ordered immediately messaged	
03-19.	S.	Received from Assembly concurred in	

SB

2013
ENROLLED BILL

13en 5 B-527

ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

13-4088, 1

Amendments to above (if none, write "NONE"):

SA1 — a1816/1
SA3 a1882/1

Corrections - show date (if none, write "NONE"):

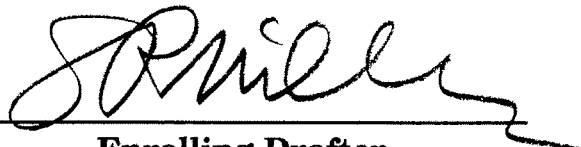
NONE

Topic

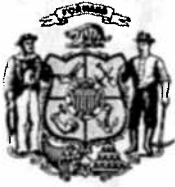
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3-27-14

Date



Enrolling Drafter



2013 SENATE BILL 527

January 30, 2014 - Introduced by Senators S. FITZGERALD and SCHULTZ, cosponsored by Representatives KRUG, KLEEFISCH, MARKLEIN, CZAJA, TITTL, MURPHY, SKOWRONSKI, RIPP and CRAIG. Referred to Committee on Judiciary and Labor.

1 AN ACT *to amend* 895.527 (3) and 895.527 (4); and *to create* 895.527 (8), 895.527
2 (9) and 895.527 (10) of the statutes; **relating to**: liability and immunity of sport
3 shooting ranges.

Analysis by the Legislative Reference Bureau

Under current law, a person who owns or operates an area designed and operated for the use and discharge of firearms (sport shooting range) is immune from civil liability relating to noise and is not subject to an action for nuisance or to zoning conditions related to noise. Current law also provides that if a sport shooting range lawfully existed on July 16, 2013, it may continue to operate as a sport shooting range at that location even if certain zoning ordinances or laws regulating the discharge of firearms would otherwise prohibit the operation of the sport shooting range.

Under this bill, a sport shooting range is not subject to any state or local zoning conditions or rules related to noise or to nonconforming use. The bill expands those zoning laws that do not apply to sport shooting ranges to include zoning laws related to shorelands on navigable waters. The bill also provides the owner or operator of a sports shooting range, and their agents, contractors, customers, lenders, and insurers immunity from civil liability in any action by the state or its political subdivisions or by a special purpose district related to the use, release, placement, or accumulation of any projectiles on or under the sport shooting range or other contiguous real property that the owner or operator has the legal right to use.

The bill provides immunity from civil action to the owner, operator, officer, or board member of a sport shooting range, and to any employee or volunteer acting on

SENATE BILL 527

behalf of the owner or operator, for any negligent action of a user of the sport shooting range and to any person who provides a firearms training course in good faith at a sports shooting range if the course is approved by a national or state organization.

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

1 **SECTION 1.** 895.527 (3) of the statutes is amended to read:

2 895.527 (3) A person who owns or operates a sport shooting range is not subject

3 to an action for nuisance or to any state or local zoning conditions or rules, including
4 those related to noise or nonconforming use, and no court may enjoin or restrain the
5 operation or use of a sport shooting range on the basis of noise, non-conforming use,
6 or any other state or local zoning condition or rule. *INS. SA 3*

7 **SECTION 2.** 895.527 (4) of the statutes, as affected by 2013 Wisconsin Act 35,
8 is amended to read:

9 895.527 (4) Any sport shooting range that exists on July 16, 2013, may continue
10 to operate as a sport shooting range at that location notwithstanding any zoning
11 ordinance enacted under s. 59.69, 59.692, 60.61, 60.62, 61.35 or 62.23 (7), if the sport
12 shooting range is a lawful use or a legal nonconforming use under any zoning
13 ordinance enacted under s. 59.69, 59.692, 60.61, 60.62, 61.35 or 62.23 (7) that is in
14 effect on July 16, 2013. The operation of the sport shooting range continues to be a
15 lawful use or legal nonconforming use notwithstanding any expansion of, or
16 enhancement or improvement to, the sport shooting range.

17 **SECTION 3.** 895.527 (8) of the statutes is created to read:

18 895.527 (8) An owner or operator of a sport shooting range, or an employee,
19 agent, contractor, customer, lender, or insurer of the owner or operator of a sport
20 shooting range, and any user of a sport shooting range is immune from civil liability

SENATE BILL 527

1 in any action commenced by the state or its political subdivisions, or by a special
2 purpose district, related to the use, release, placement, deposition, or accumulation
3 of any projectiles on or under the sport shooting range or other contiguous real
4 property over which the owner or operator of a sport shooting range has an easement,
5 leasehold, or other legal right to use.

6 **SECTION 4.** 895.527 (9) of the statutes is created to read:

7 895.527 (9)(a) An owner, operator, officer, or board member of a sport shooting
8 range, and any employee or volunteer acting on behalf of the owner or operator who
9 provided recommendations regarding the operation of a sport shooting range, are
10 immune from any civil action based solely on the negligent action of a user of the
11 sport shooting range.

12 (b) Any person who provides a firearms training course in good faith at a sport
13 shooting range is immune from civil liability for any act or omission related to the
14 firearms training course if the course is approved by a national or state organization.

15 **SECTION 5.** 895.527 (10) of the statutes is created to read:

16 895.527 (10) This section does not impair or diminish the private property
17 rights of owners of property adjoining a sport shooting range.

18 (END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa1816/1
RPN:wljf

**SENATE AMENDMENT 1,
TO SENATE BILL 527**

February 14, 2014 – Offered by COMMITTEE ON JUDICIARY AND LABOR.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 19: delete “lender,”.

3 **2.** Page 3, line 7: delete “(a)”.

4 **3.** Page 3, line 12: delete lines 12 to 14.

5 (END)



**SENATE AMENDMENT 3,
TO SENATE BILL 527**

February 18, 2014 -- Offered by Senators GROTHMAN and S. FITZGERALD.

SA 3

1 At the locations indicated, amend the bill as follows:

- 2 **1.** Page 2, line 3: delete lines 3 to 6 and substitute "to an action for nuisance
3 or to state or local zoning conditions related to noise and ~~no.~~ If a sport shooting range,
4 on the date it was established, was a lawful or legal nonconforming use under any
5 state law or local ordinance related to its use that was in effect on that date, the sport
6 shooting range continues to be subject to the state laws and local ordinances related
7 to its use that were in effect on the date it was established. No court may enjoin or
8 restrain the operation or use of a sport shooting range on the basis of noise or on the
9 basis of noncompliance with a state law or local ordinance related to its operation or
10 use that was enacted after the date that the sport shooting range was established if
11 the sport shooting range, on the date it was established, was a lawful or legal

1 nonconforming operation or use under any state law or local ordinance related to its
2 operation or use that was in effect on that date⁷.

3 (END)