

**2013 DRAFTING REQUEST**

**Senate Amendment (SA-SB527)**

Received: 2/18/2014 Received By: rnelson  
Wanted: Today Same as LRB:  
For: Glenn Grothman (608) 266-7513 By/Representing: Adam  
May Contact: Drafter: rnelson  
Subject: Courts - immunity liability Addl. Drafters:  
Extra Copies:

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

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**Pre Topic:**

No specific pre topic given

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**Topic:**

sports shooting ranges laws in effect at time of establishment

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**Instructions:**

See attached

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**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>
/1	rnelson 2/18/2014	csicilia 2/18/2014	jfrantze 2/18/2014	_____	srose 2/18/2014	srose 2/18/2014	

FE Sent For:

<END>

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/1	rnelson	1 gjs 2/18/14	Jo	2/18			

FE Sent For:

<END>

Want it jacketed to the Senate Floor

## **Nelson, Robert**

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**From:** Sappenfield, Anne  
**Sent:** Tuesday, February 18, 2014 1:03 PM  
**To:** Nelson, Robert  
**Subject:** RE: Email for Bob Nelson

Regarding my comment about putting it somewhere other than sub. (3)—that's not something the author wants, so scratch that offer.

Thank you.

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**From:** Sappenfield, Anne  
**Sent:** Tuesday, February 18, 2014 12:23 PM  
**To:** Nelson, Robert  
**Subject:** RE: Email for Bob Nelson

Hi Bob,

I just reviewed the amendment you sent. First, the noise provisions should apply as under current law, so no matter whether the range was in compliance with zoning laws when it was established. Also, the amendment doesn't have the additional language Sen. Grothman wanted to exempt a range that is lawful when established from any state statutes or rules that are subsequently enacted and that would affect the range's operation.

If you think this would be better placed in a separate subsection or paragraph, we could ask Sen. Grothman about that. I think he prefers it in sub. (3) but it's very messy that way.

Thank you,  
Anne

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**From:** Nelson, Robert  
**Sent:** Tuesday, February 18, 2014 11:49 AM  
**To:** Sappenfield, Anne  
**Subject:** RE: Email for Bob Nelson

Anne,

This was more complicated than it should be. As I always say, the statutes are best if left alone; that is all we do is make them worse.

When you get the amendment (soon) look it over carefully and let me know if it should be changed

Thanks,

Bob N

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**From:** Barman, Mike  
**Sent:** Tuesday, February 18, 2014 10:29 AM

**To:** Nelson, Robert  
**Subject:** FW: Email for Bob Nelson

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**From:** Sappenfield, Anne  
**Sent:** Tuesday, February 18, 2014 10:29 AM  
**To:** Barman, Mike  
**Subject:** Email for Bob Nelson

Hi Bob,

Sen. Grothman would like an amendment to SB 527 for today's floor session. He would like sub. (3) to provide that a shooting range that complies with zoning laws when it opens is not subject to subsequent changes to those zoning laws. Here is my attempt to express his request:

895.527(3)

(3) A person who owns or operates a sport shooting range is not subject to an action for nuisance or to zoning conditions related to noise and no , if the sport shooting range, on the date it was established, was a lawful or legal nonconforming use under any zoning ordinance in effect on that date, continues to be subject to the zoning ordinances in effect on the date the sport shooting range was established. No court may enjoin or restrain the operation or use of a sport shooting range on the basis of noise or on the basis of noncompliance with a zoning ordinance that is enacted after the date a sport shooting range was established if, on the date the sport shooting range was established, was a lawful or legal nonconforming use under any zoning ordinance.

Since I worked on this, Sen. Grothman has asked also to exempt a range that is lawful when established from any state statutes or rules that are subsequently enacted and that would affect the range's operation.

Thank you, and please let me know if you have any questions. Adam is the contact in Sen. Grothman's office.

Anne

*Anne Sappenfield*  
Principal Attorney  
WI Legislative Council  
(608) 267-9485



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**SENATE AMENDMENT ,  
TO SENATE BILL 527**

W. K. ...

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 ~~operation~~<sup>use</sup> that was in effect on that date,
- 6 the sport shooting range continues to be subject to the state laws and local ordinances
- 7 related to its ~~operation~~<sup>use</sup> that were in effect on the date it was established. No court
- 8 may enjoin or restrain the operation or use of a sport shooting range on the basis of
- 9 noise or on the basis <sup>e of</sup> (on) noncompliance with a state law or local ordinance related to
- 10 its operation<sup>or use</sup> that was enacted after the date that the sport shooting range was
- 11 established if the sport shooting range, on the date it was established, was a lawful

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

3 (END)

OR USE