



## 2013 ASSEMBLY BILL 118

April 3, 2013 – Introduced by Representatives PRIDEMORE, THIESFELDT, T. LARSON, BROOKS and KNODL. Referred to Committee on Judiciary.

1     **AN ACT to amend** 119.04 (1) and 948.605 (2) (b) 1m.; and **to create** 120.13 (35m),  
2             948.605 (2) (b) 1n., 948.605 (2) (b) 1o., 948.605 (2) (b) 1p. and 948.605 (2) (b) 1q.  
3             of the statutes; **relating to:** exceptions to the prohibition against firearms in  
4             school zones.

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### *Analysis by the Legislative Reference Bureau*

Current law generally prohibits a person from possessing a firearm in a school zone. Current law provides many exceptions including references to federal law that exempt the following: a person on private property that is not part of school grounds; a person who possesses the firearm for use in a program approved by a school in the school zone; a person who possesses the firearm in accordance with a contract entered into between a school in the school zone and the person or the person's employer; a law enforcement officer acting in his or her official capacity; and a person who possesses a firearm that is unloaded and who is traversing school premises to gain access to lands open to hunting. This bill enumerates these exceptions in statute versus using a reference to federal law.

The bill also explicitly permits a school board to enter into a contract with a person, or a person's employer, that allows the person to possess a firearm in a school zone.

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

**ASSEMBLY BILL 118****SECTION 1**

1           **SECTION 1.** 119.04 (1) of the statutes is amended to read:

2           119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
3           66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
4           115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04,  
5           118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145  
6           (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20,  
7           118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258,  
8           118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12  
9           (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19),  
10          (26), (34), (35), (35m), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are  
11          applicable to a 1st class city school district and board.

12          **SECTION 2.** 120.13 (35m) of the statutes is created to read:

13          120.13 (35m) POSSESSION OF A FIREARM. Enter into a contract with a person or  
14          the person's employer that allows the person to possess a firearm in a school zone,  
15          as provided in s. 948.605 (2) (b) 1o.

16          **SECTION 3.** 948.605 (2) (b) 1m. of the statutes is amended to read:

17          948.605 (2) (b) 1m. A person who possesses the firearm ~~in accordance with 18~~  
18          ~~USC 922 (q) (2) (B) (i), (iv), (v), (vi), or (vii) on private property that is not part of~~  
19          school grounds.

20          **SECTION 4.** 948.605 (2) (b) 1n. of the statutes is created to read:

21          948.605 (2) (b) 1n. A person who possesses the firearm for use in a program  
22          approved by a school in the school zone.

23          **SECTION 5.** 948.605 (2) (b) 1o. of the statutes is created to read:

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1           948.605 (2) (b) 1o. A person who possesses the firearm in accordance with a  
2 contract entered into between the governing body of a school in the school zone and  
3 the person or an employer of the person.

4           **SECTION 6.** 948.605 (2) (b) 1p. of the statutes is created to read:

5           948.605 (2) (b) 1p. A law enforcement officer acting in his or her official  
6 capacity.

7           **SECTION 7.** 948.605 (2) (b) 1q. of the statutes is created to read:

8           948.605 (2) (b) 1q. A person who possesses a firearm that is unloaded and who  
9 is traversing school premises for the purpose of gaining access to public or private  
10 lands open to hunting, if the entry on school premises is authorized by school  
11 authorities.

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(END)