

2015 DRAFTING REQUEST

Bill

Received: **9/8/2014** Received By: **chanaman**
Wanted: **As time permits** Same as LRB:
For: **Joel Kleefisch (608) 266-8551** By/Representing: **Ashlee Moore**
May Contact: Drafter: **chanaman**
Subject: **Justice - civil** Addl. Drafters:
Extra Copies:

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

Pre Topic:

No specific pre topic given

Topic:

Allow military personnel stationed in Wisconsin to obtain license to carry a concealed weapon

Instructions:

See attached-- 2013 AB-740 with amendment

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 9/8/2014	kfollett 9/11/2014	jmurphy 9/11/2014	_____			
/1	chanaman 9/15/2014	kfollett 9/16/2014		_____	lparisi 9/11/2014		
/2	chanaman 2/5/2015	kfollett 2/5/2015	jfrantze 2/5/2015	_____	lparisi 9/17/2014	mbarman 12/17/2014	
/3				_____	sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
				<hr/>	2/5/2015	2/5/2015	

FE Sent For:

*None
Needed*

<END>

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/?	chanaman	AKF 9/11	Jm 9/11	Jm 9/11			
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FE Sent For:

<END>



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-45111

CMH:kjf:jj

-0075/1

2013 BILL

PWF

Refer back

1 AN ACT *to renumber and amend* 175.60 (3) (f); and *to create* 175.60 (3) (f) 2.
2 of the statutes; **relating to:** eligibility for a license to carry a concealed weapon
3 for a member of the U.S. armed forces stationed in Wisconsin.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice may not issue a license to carry a concealed weapon to an applicant who is not a resident of Wisconsin. Under this bill, an applicant who is stationed in Wisconsin for at least one year while in active service in the U.S. armed forces is eligible for a license if otherwise qualified.

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

4 SECTION 1. 175.60 (3) (f) of the statutes is renumbered 175.60 (3) (f) (intro.) and
5 amended to read:

6 175.60 (3) (f) (intro.) The individual is not ~~a~~ one of the following:

7 1. A Wisconsin resident.

8 SECTION 2. 175.60 (3) (f) 2. of the statutes is created to read:

Hanaman, Cathlene

From: Moore, Ashlee
Sent: Friday, September 12, 2014 11:59 AM
To: Hanaman, Cathlene
Subject: Minor Changes

Hey Cathlene,

I just got off the phone with the Department of Justice. Last session, they suggested to Rep Vruwink two amendments to the bill, but since it never moved Amy Sue never drafted them. They would like to clarify the statues related to the application process and the display requirements --- the specifics are below.

I think they raise some good points I never even thought of, we would like to incorporate these changes into the new draft, unless you have concerns or suggestions!! Thanks so much

- Amend 175.60(1)(i) so that state identification card number includes "the unique identifying number on a license or card issued by a state other than WI that is substantially equivalent to a license or card under 175.60(1)(h)1. for an individual who is in the active service in the U.S. armed forces and is stationed in this state for..."

175.60(5) limits a ccw application to asking for only name, address, date of birth, state ID card number , race, sex, height, and eye color.

175.60(1)(i) defines state ID card number as the WI DOT number assigned for a WI driver license or ID card.

Having the driver license number from the state of residence will facilitate a more complete background check.

- Amend 175.60 (2g) (b) & (c) to require a licensee issued a license under 175.60(3)(f)2. to carry and display to law enforcement his or her license, photo ID, and military license.

Generally, 175.60(2g) (b) requires a licensee or out of state licensee to have his or her license and photo ID when carrying.

Generally, 175.60(2g) (c) requires a licensee or out of state licensee to display his or her license and photo ID to a law enforcement officer upon request.

Law enforcement will need more information when dealing with a person who produces a WI license and an out of state photo ID.

Ashlee Moore

Representative Joel Kleefisch – 38th Assembly District
307 North, State Capitol – (608) 266-8551



news if possible

2015 BILL

repeal act

1 **AN ACT to renumber and amend** 175.60 (3) (f); and **to create** 175.60 (3) (f) 2.
 2 of the statutes; **relating to:** eligibility for a license to carry a concealed weapon.
 3 for a member of the U.S. armed forces stationed in Wisconsin.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice may not issue a license to carry a concealed weapon to an applicant who is not a resident of Wisconsin. Under this bill, an applicant who is stationed in Wisconsin for at least one year while in active service in the U.S. armed forces is eligible for a license if otherwise qualified.

INS
 1-9
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7 1. A Wisconsin resident.

8 **SECTION 2.** 175.60 (3) (f) 2. of the statutes is created to read:

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

2
LRB-0075/p2ins
CMH:.....

1 Insert 1-4

2 **SECTION 1.** 175.60 (1) (dm) of the statutes is created to read:

3 175.60 (1) (dm) "Military resident" means an individual who is in active service
4 in the U.S. armed forces and is stationed in this state for a term that is scheduled to
5 be at least one year in duration.

6 **SECTION 2.** 175.60 (1) (i) of the statutes is renumbered 175.60 (1) (i) (intro.) and
7 amended to read:

8 175.60 (1) (i) (intro.) "State identification card number" means ~~the~~ one of the
9 following:

10 1. The unique identifying driver number assigned to a ~~person~~ Wisconsin
11 resident by the department of transportation under s. 343.17 (3) (a) 4. or, if the ~~person~~
12 Wisconsin resident has no driver number, the number assigned to the ~~person~~
13 Wisconsin resident on an identification card issued under s. 343.50.

14 History: 2011 a. 35; 2013 a. 166 s. 76; 2013 a. 167, 223.

14 **SECTION 3.** 175.60 (1) (i) 2. of the statutes is created to read:

15 175.60 (1) (i) 2. The unique identifying driver number assigned to a military
16 resident by the military resident's state, ~~or~~ or if the military resident has no driver
17 number, the number assigned to the military resident on an identification card
18 issued by the military resident's state.

19 **SECTION 4.** 175.60 (2g) (b) of the statutes is renumbered 175.60 (2g) (b) 1. and
20 amended to read:

21 175.60 (2g) (b) 1. Unless the licensee ~~or out-of-state licensee~~ is carrying a
22 concealed weapon in a manner described under s. 941.23 (2) (e), a licensee shall have
23 with him or her, during all times while he or she is carrying a concealed weapon, his

1 or her license document ~~and~~, photographic identification card, ~~and, if the licensee is~~
2 a military resident, his or her military license.

3 2. Unless the out-of-state licensee is carrying a concealed weapon in a manner
4 described under s. 941.23 (2) (e), an out-of-state licensee shall have with him or her
5 his or her out-of-state license and photographic identification card at all times
6 during which he or she is carrying a concealed weapon.

History: 2011 a. 35; 2013 a. 166 s. 76; 2013 a. 167, 223.

7 **SECTION 5.** 175.60 (2g) (c) of the statutes is amended to read:

8 175.60 (2g) (c) Unless the licensee or out-of-state licensee is carrying a
9 concealed weapon in a manner described under s. 941.23 (2) (e), upon request by a
10 law enforcement officer who is acting in an official capacity and with lawful
11 authority, a licensee who is carrying a concealed weapon shall display to the officer

12 his or her license document ~~and~~, photographic identification card, ~~and, if the licensee~~
13 is a military resident, his or her military license, and an out-of-state licensee who
14 is carrying a concealed weapon shall display to the officer his or her out-of-state
15 license and photographic identification card ~~to a law enforcement officer upon the~~
16 ~~request of the law enforcement officer while the law enforcement officer is acting in~~
17 ~~an official capacity and with lawful authority.~~

History: 2011 a. 35; 2013 a. 166 s. 76; 2013 a. 167, 223.

18
19 Insert 2-4

20 **SECTION 6.** 175.60 (17) (a) of the statutes is amended to read:

21 175.60 (17) (a) Any person who violates sub. (2g) (b) or (c) may be required to
22 forfeit not more than \$25, except that the person shall be exempted from the
23 forfeiture if the person presents to the law enforcement agency that employs the
24 requesting law enforcement officer, within 48 hours, his or her license document or

1 out-of-state license and, photographic identification to the law enforcement agency
2 that employs the requesting law enforcement officer, and, if appropriate, military
3 license.

History: 2011 a. 35; 2013 a. 166 s. 76; 2013 a. 167, 223.

pertinent

Barman, Mike

From: Moore, Ashlee
Sent: Wednesday, December 17, 2014 9:02 AM
To: LRB.Legal
Subject: Draft Review: LRB -0075/2 Topic: Allow military personnel stationed in Wisconsin to obtain license to carry a concealed weapon

Please Jacket LRB -0075/2 for the ASSEMBLY.

Hanaman, Cathlene

From: Moore, Ashlee
Sent: Thursday, February 05, 2015 9:48 AM
To: Hanaman, Cathlene
Subject: LRB 0075/2

Thanks Cathlene, Below are DOJ's additions.

Senator Wanggaard wanted to make sure that "If duty station changes during time of licensure the license shall be surrendered upon termination of temporary residence" ---

Let me know if you have any questions. Thanks again

Ashlee Moore

Representative Joel Kleefisch – 38th Assembly District
216 North, State Capitol – (608) 266-8551

From: Austin, Michael P [mailto:austinmp@doj.state.wi.us]
Sent: Thursday, February 05, 2015 5:05 AM
To: Moore, Ashlee
Subject: Re: Conceal Carry Drafts

On the conceal carry for servicemen, we do have some suggested changes on that below.

Recommended modifications to draft legislation:

- The statutes restrict (s. 175.60 (5)) what information can be requested on the concealed carry application. This currently includes a "state identification number" that is defined as a dl number or id card issued by WI DOT. Having the DL number and state of issue for the state of residency for active military stationed in Wisconsin would be needed to conduct a complete background check that would include a driver and criminal history check to the state of residency. CIB recommends that s. 175.60 (5) also be amended by this bill to include the out-of-state drivers license number or identification card number for active military personnel stationed in Wisconsin as shown below.

175.60 (5) APPLICATION AND RENEWAL FORMS. (a) The department shall design an application form for use by individuals who apply for a license under this section and a renewal form for use by individuals applying for renewal of a license under sub. (15). The department shall complete the design of the application form no later than September 1, 2011, and shall complete the design of the renewal form no later than July 1, 2014. The forms shall require the applicant to provide only his or her name, address, date of birth, state identification card number, out of state drivers license or identification card number for active military personnel, race, sex, height, and eye color and shall include all of the following:

Sent from my iPad

On Jan 14, 2015, at 1:49 PM, Moore, Ashlee <Ashlee.Moore@legis.wisconsin.gov> wrote:

Here are the drafts that I worked with Rinehart on before he left. As far as he was concerned these were good to go. Like I said, we are hoping to circulate next week for co-sponsorship. Let me know if you have any immediate concerns or requests. Thanks!

Ashlee Moore

Representative Joel Kleefisch – 38th Assembly District
216 North, State Capitol – (608) 266-8551

<Conceal Carry Servicemen.pdf>

<LEOs in School Zones.pdf>

<Out of State and Former LEO CCarry.pdf>



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0075/2
CMH:kjf:jm

2015 BILL

Friday 2/6
please

Resen

1 AN ACT *to renumber and amend* 175.60 (1) (i), 175.60 (2g) (b) and 175.60 (3)
2 (f); *to amend* 175.60 (2g) (c) and 175.60 (17) (a); and *to create* 175.60 (1) (dm),
3 175.60 (1) (i) 2. and 175.60 (3) (f) 2. of the statutes; **relating to:** eligibility for
4 a license to carry a concealed weapon for a member of the U.S. armed forces
5 stationed in Wisconsin.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice may not issue a license to carry a concealed weapon to an applicant who is not a resident of Wisconsin. Under this bill, an applicant who is stationed in Wisconsin for at least one year while in active service in the U.S. armed forces is eligible for a license if otherwise qualified.

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9 be at least one year in duration.

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16 175.60 (2g) (b) 1. Unless the licensee ~~or out-of-state licensee~~ is carrying a
17 concealed weapon in a manner described under s. 941.23 (2) (e), a licensee shall have
18 with him or her, during all times he or she is carrying a concealed weapon, his or her
19 license document ~~and~~, photographic identification card, and, if the licensee is a
20 military resident, his or her military license.

21 2. Unless the out-of-state licensee is carrying a concealed weapon in a manner
22 described under s. 941.23 (2) (e), an out-of-state licensee shall have with him or her
23 his or her out-of-state license and photographic identification card at all times
24 during which he or she is carrying a concealed weapon.

25 **SECTION 5.** 175.60 (2g) (c) of the statutes is amended to read:

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5 his or her license document ~~and~~, photographic identification card, ~~and~~, if the licensee
6 is a military resident, his or her military license, and an out-of-state licensee who
7 is carrying a concealed weapon shall display to the officer his or her out-of-state
8 license and photographic identification card ~~to a law enforcement officer upon the~~
9 ~~request of the law enforcement officer while the law enforcement officer is acting in~~
10 ~~an official capacity and with lawful authority.~~

11 **SECTION 6.** 175.60 (3) (f) of the statutes is renumbered 175.60 (3) (f) (intro.) and
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13 175.60 (3) (f) (intro.) The individual is not ~~a~~ one of the following:

14 1. A Wisconsin resident.

15 **SECTION 7.** 175.60 (3) (f) 2. of the statutes is created to read:

16 175.60 (3) (f) 2. A military resident.

17 **SECTION 8.** 175.60 (17) (a) of the statutes is amended to read:

18 175.60 (17) (a) Any person who violates sub. (2g) (b) or (c) may be required to
19 forfeit not more than \$25, except that the person shall be exempted from the
20 forfeiture if the person presents to the law enforcement agency that employs the
21 requesting law enforcement officer, within 48 hours, his or her license document or
22 out-of-state license ~~and~~, photographic identification ~~to the law enforcement agency~~
23 ~~that employs the requesting law enforcement officer, and, if pertinent, military~~
24 license.

25 **SECTION 9. Initial applicability.**

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0075/3ins
CMH:.....

1
2
3
4
5
6

INS 377

SECTION 1. 175.60 (14) (title) of the statutes is amended to read: ✓

175.60 (14) (title) LICENSE REVOCATION AND, SUSPENSION, AND SURRENDER.

History: 2011 a. 35; 2013 a. 166 s. 76; 2013 a. 167, 223.

SECTION 2. 175.60 (14) (c) of the statutes is created to read: ✓

175.60 (14) (c) A military resident who holds a license shall surrender the
license at the time he or she ceases to be stationed in this state.