



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Assembly Bill 649

**Assembly Substitute
Amendment 2**

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Contact: Anna Henning, Senior Staff Attorney

2017 ASSEMBLY BILL 649

2017 Assembly Bill 649 requires the DNR to allow the use of high-powered air rifles and airbows in any hunting season open for hunting with a firearm. The bill also specifies that various hunting licenses that currently authorize hunting with firearms also allow hunting with a high-powered air rifle or airbow. The bill defines “high-powered air rifle” to mean a weapon originally manufactured to expel a projectile at a speed of not less than 1,000 feet per second by the expansion of compressed air. The bill defines “airbow” to mean a weapon originally manufactured to fire an arrow by the expansion of compressed air.

ASSEMBLY SUBSTITUTE AMENDMENT 2

Assembly Substitute Amendment 2 removes references to “high-powered air rifle” and specific requirements regarding projectile speed of such rifles. Instead, the substitute amendment defines the term “airgun” to mean a weapon originally manufactured to expel one or more projectiles by the expansion of compressed air. The substitute amendment also specifies that “airgun” includes an “airbow,” defined to mean a weapon originally designed to fire an arrow by the expansion of compressed air.

Generally, in various provisions of the statutes relating to hunting regulations, the substitute amendment adds “airgun” where that term does not already appear under current law and where the term “firearm” appears. Thus, compared to the bill, the substitute amendment does not add “airgun” to certain provisions relating to hunting licenses for certain small game and furbearing animals, for which current law already authorizes hunting with an airgun, but the substitute amendment adds “airgun” in various other provisions that are untreated by the bill, such as certain provisions relating to the Department of Natural Resources’ authority regarding the regulation of hunting with firearms.

Similar to the bill, the substitute amendment requires the department to allow a season that is open to hunting with a firearm to also be open to hunting with an airgun. Unlike the bill, the substitute amendment authorizes the DNR to promulgate rules limiting the types of airguns that may be used to hunt specific species during particular hunting seasons. However, if the DNR exercises such rulemaking authority, it must allow the use of airguns and airgun ammunition that are similar to permitted firearms and firearm ammunition with regards to effectiveness for hunting.

The substitute amendment also adds “airgun” to the definition of “firearm” for purposes of a general preemption on local regulation of firearms.

BILL HISTORY

Representative Kleefisch offered Assembly Substitute Amendment 2 on January 16, 2018. On January 17, 2018, the Assembly Committee on Environment and Forestry voted to recommend adoption of the substitute amendment and passage of the bill, as amended, on votes of Ayes, 11; Noes, 0.

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