2017 ASSEMBLY BILL 1026

March 16, 2018 - Introduced by Representatives KREMER, R. BROOKS, SANFELIPPO and WEATHERSTON. Referred to Committee on State Affairs.

AN ACT to amend 175.60 (2g) (a), 175.60 (5) (a) 6., 948.605 (1) (b) and 948.605 (2) 1r.; and to create 948.605 (1) (ak) and (aq) and 948.605 (2m) of the statutes; relating to: possession of a firearm by a licensee on the grounds of a school and providing a penalty.

Analysis by the Legislative Reference Bureau

Under this bill, a person who has a license to carry a concealed weapon may possess a firearm in or on the grounds of a parochial, private, or tribal school and, if the school adopts a policy, in a building on the school grounds. If the school does not adopt a policy allowing licensees to possess a firearm in a building on its grounds, a licensee who knowingly possesses a firearm in such a building is guilty of a Class B forfeiture. In addition, under this bill, if a licensee illegally possesses a firearm in or on the grounds of a public school, he or she is guilty of a Class B forfeiture. Under current law, a person who illegally possesses a firearm on the grounds of any school is guilty of a Class I felony.

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

SECTION 1. 175.60 (2g) (a) of the statutes is amended to read:
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175.60 (2g) (a) A licensee or an out-of-state licensee may carry a concealed
weapon anywhere in this state except as provided under subs. (15m) and (16) and ss.
943.13 (1m) (c) and 948.605 (2) (b) 1r. (2m).

SECTION 2. 175.60 (5) (a) 6. of the statutes is amended to read:
175.60 (5) (a) 6. A statement of the places under sub. (16) where a licensee is
prohibited from carrying a weapon, as well as an explanation of the provisions under
sub. (15m) and ss. 943.13 (1m) (c) and 948.605 (2) (b) 1r. (2m) that could limit the
places where the licensee may carry a weapon, with a place for the applicant to sign
his or her name to indicate that he or she has read and understands the statement.

SECTION 3. 948.605 (1) (ak) and (aq) of the statutes are created to read:
948.605 (1) (ak) “Licensee” means a licensee, as defined in s. 175.60 (1) (d), or
an out-of-state licensee, as defined in s. 175.60 (1) (g).
(aq) “Private school” means a school that is a parochial, private, or tribal school,
as defined in s. 115.001 (15m).

SECTION 4. 948.605 (1) (b) of the statutes is amended to read:
948.605 (1) (b) “School” has the meaning given in s. 948.61 (1) (b) means a
public school or private school that provides an educational program for one or more
grades between grades 1 and 12 and which is commonly known as an elementary
school, middle school, junior high school, senior high school, or high school.

SECTION 5. 948.605 (2) (b) 1r. of the statutes is amended to read:
948.605 (2) (b) 1r. Except if the person is in or on the grounds of a school, a A
licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as defined in s.
175.60 (1) (g).

SECTION 6. 948.605 (2m) of the statutes is created to read:
948.605 (2m) Possession of firearm on school grounds by licensees. (a) A licensee who knowingly possesses a firearm in or on the grounds of a school that is not a private school is guilty of a Class B forfeiture unless the licensee is described under sub. (2) (b) 1m., 2d., 2f., 2h., 2m., 3., or 3m.

(b) A licensee who knowingly possesses a firearm in a building on the grounds of a private school is guilty of a Class B forfeiture unless the licensee is described under sub. (2) (b) 1m., 2d., 2f., 2h., 2m., or 3. or unless the private school has adopted a policy allowing licensees to enter and remain in the building while possessing a firearm.

(END)