2019 SENATE BILL 231

May 23, 2019 -Introduced by Senators OLSEN, FEYEN, MARKLEIN and SMITH, cosponsored by Representatives BALLWEG, STAFSHOLT, KNO DL, K RUG, KURTZ, MURSAU, PRON SCHINSKE, SKOWRONSKI, SORTWELL and TUSLER. Referred to Committee on Sporting Heritage, Mining and Forestry.

AN ACT to renumber and amend 23.33 (3) (eg); and to amend 23.33 (3c) (title), 23.33 (3c) (b), 167.31 (2) (a) 3., 167.31 (2) (b) 3. and 167.31 (4) (ag) of the statutes; relating to: placing, possessing, or transporting a bow or crossbow in or on a motorboat, vehicle, all-terrain vehicle, or utility terrain vehicle.

Analysis by the Legislative Reference Bureau

Under current law, a firearm, bow, or crossbow may not be placed, possessed, or transported in or on a motorboat or vehicle, except that the restrictions on placing or possessing a firearm on a vehicle do not apply if the vehicle is stationary. This bill adds that the restrictions on placing or possessing a bow or crossbow on a vehicle do not apply if the vehicle is stationary. A vehicle, in this context, includes every device by which any person or property is or may be transported or drawn upon a highway, except railroad trains and personal delivery devices.

Under current law, a bow or crossbow may not be possessed by a person operating an all-terrain vehicle or utility terrain vehicle, unless the bow does not have an arrow nocked or the crossbow is not cocked or is unloaded and enclosed in a carrying case. This bill adds that the restrictions on possessing a crossbow while operating an ATV or UTV do not apply when the ATV or UTV is stationary. Also under this bill, a cocked but unloaded crossbow may be outside a carrying case.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
SECTION 1. 23.33 (3) (eg) of the statutes is renumbered 23.33 (3c) (am) and amended to read:

23.33 (3c) (am) With No person may operate an all-terrain vehicle or utility terrain vehicle with any crossbow in his or her possession unless the crossbow is not cocked or is unloaded and enclosed in a carrying case.

SECTION 2. 23.33 (3c) (title) of the statutes is amended to read:

23.33 (3c) (title) OPERATION WITH FIREARMS OR CROSSBOWS.

SECTION 3. 23.33 (3c) (b) of the statutes is amended to read:

23.33 (3c) (b) Paragraphs (a) does and (am) do not apply to a firearm or crossbow that is placed or possessed on an all-terrain vehicle or utility terrain vehicle that is stationary, as defined in s. 167.31 (1) (fg).

SECTION 4. 167.31 (2) (a) 3. of the statutes is amended to read:

167.31 (2) (a) 3. The crossbow is not cocked or is unloaded and enclosed in a carrying case.

SECTION 5. 167.31 (2) (b) 3. of the statutes is amended to read:

167.31 (2) (b) 3. The crossbow is not cocked or is unloaded and enclosed in a carrying case.

SECTION 6. 167.31 (4) (ag) of the statutes is amended to read:

167.31 (4) (ag) Subsection (2) (b) 1. does not apply to a firearm, bow, or crossbow that is placed or possessed on a vehicle that is stationary.

(END)