

Report From Agency

REPORT TO LEGISLATURE

NR 20, Wis. Adm. Code
Board Order No. FH-20-24
Clearinghouse Rule No. CR 24-095

Basis and Purpose of the Proposed Rule

Section NR 20.05 (2), Wis. Adm. Code, prohibits a person from “Possess[ing] or control[ling] any firearm, gun or similar device at any time while on the waters, banks or shores that might be used for the purpose of fishing.”

In 2011, the legislature enacted Wisconsin’s concealed carry law via 2011 Wis. Act 35 (Act 35). Act 35 created s. 175.60, Stats., which authorizes a licensed person to carry a concealed firearm anywhere in the state, including the waters, banks, and shores of waters. As a result of the passage of Act 35, s. NR 20.05 (2), Wis. Adm. Code, conflicts with s. 175.60, Stats.

Although the department has not enforced s. NR 20.05 (2), Wis. Adm. Code, against persons carrying a firearm since the passage of Act 35, repeal of the provision will ensure that the administrative code conforms with Wisconsin’s concealed carry law.

Summary of Public Comments

A comment period was held from December 16 to 27, 2024. No comments were received.

Modifications Made

No modifications were made.

Appearances at the Public Hearing

A public hearing is not required for this rule because “The proposed rule brings an existing rule into conformity with a statute that has been changed or enacted or with a controlling judicial decision,” pursuant to s. 227.16 (2) (b), Stats.

Changes to Rule Analysis and Fiscal Estimate

The department expects no economic impact directly related to this rule change.

Response to Legislative Council Rules Clearinghouse Report

The Legislative Council Rules Clearinghouse submitted its report on December 18, 2024, and did not have any comments or edits for this rule.

Final Regulatory Flexibility Analysis

The proposed rule does not impose any compliance or reporting requirements on small businesses nor are any design or operational standards contained in the rule.

Response to Small Business Regulatory Review Board Report

The Small Business Regulatory Review Board did not prepare a report on this rule proposal.