



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3714/1
CMH:cjs

2015 ASSEMBLY BILL 849

February 3, 2016 - Introduced by Representatives SARGENT, BERCEAU, GOYKE, ZEPNICK, C. TAYLOR, POPE, SINICKI, BROSTOFF, JOHNSON, CONSIDINE, OHNSTAD and SUBECK, cosponsored by Senators RISSER, RINGHAND, HARRIS DODD and C. LARSON. Referred to Committee on State Affairs and Government Operations.

1 **AN ACT to repeal** 66.0409 (1) (c), (3), (4) and (6); and **to amend** 66.0409 (2),
2 66.0409 (5), 175.60 (2g) (a) and 895.527 (5) (b) of the statutes; **relating to:**
3 eliminating the preemption of firearm regulations.

Analysis by the Legislative Reference Bureau

This bill eliminates the prohibition against a political subdivision regulating the sale, purchase, delay, transfer, possession, or taxation of any firearm in a manner that is more stringent than a state statute. This bill specifies that a political subdivision may enact an ordinance or adopt a resolution that is more stringent than a state statute to regulate such activities relating to firearms.

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

4 **SECTION 1.** 66.0409 (1) (c), (3), (4) and (6) of the statutes are repealed.
5 **SECTION 2.** 66.0409 (2) of the statutes is amended to read:
6 66.0409 (2) ~~Except as provided in subs. (3) and (4), no~~ A political subdivision
7 may enact an ordinance or adopt a resolution that regulates is more stringent than
8 a state statute regulating the sale, purchase, purchase delay, transfer, ownership,

ASSEMBLY BILL 849**SECTION 2**

1 use, keeping, possession, bearing, transportation, licensing, permitting, registration
2 or taxation of any firearm or part of a firearm, including ammunition and reloader
3 components, ~~unless the ordinance or resolution is the same as or similar to, and no~~
4 ~~more stringent than, a state statute.~~

5 **SECTION 3.** 66.0409 (5) of the statutes is amended to read:

6 66.0409 (5) A county ordinance that is enacted or a county resolution that is
7 adopted by a county under sub. (2) ~~or a county ordinance or resolution that remains~~
8 ~~in effect under sub. (4) (a) or (am) this section~~ applies only in those towns in the
9 county that have not enacted an ordinance or adopted a resolution under sub. (2) ~~or~~
10 ~~that continue to enforce an ordinance or resolution under sub. (4) (a) or (am) this~~
11 ~~section~~, except that this subsection does not apply to a sales or use tax that is imposed
12 under subch. V of ch. 77.

13 **SECTION 4.** 175.60 (2g) (a) of the statutes is amended to read:

14 175.60 (2g) (a) A licensee or an out-of-state licensee may carry a concealed
15 weapon anywhere in this state except as provided under subs. (15m) and (16) and ss.
16 943.13 (1m) (c) and 948.605 (2) (b) 1r. and except under an ordinance enacted or
17 resolution adopted as provided under s. 66.0409 (2).

18 **SECTION 5.** 895.527 (5) (b) of the statutes is amended to read:

19 895.527 (5) (b) Section ~~66.0409 (3) (b) or any~~ Any ordinance or resolution.

20 (END)