



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-3212/1  
PJH:ahe

## 2015 SENATE BILL 428

December 3, 2015 – Introduced by Senators CARPENTER and C. LARSON, cosponsored by Representatives BERCEAU, SARGENT, SUBECK and SINICKI. Referred to Committee on Judiciary and Public Safety.

1     **AN ACT** *to amend* 175.60 (2g) (a); and *to create* 175.60 (16) (a) 9. and 941.22 of  
2             the statutes; **relating to:** possessing a weapon on a motor bus used for public  
3             transit and providing a criminal penalty.

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### *Analysis by the Legislative Reference Bureau*

This bill makes it a Class I felony to possess, with certain exceptions, a weapon on a motor bus that is used for public transit. Under current law, a person may generally carry a weapon that is not concealed. A person who has a license to carry a concealed weapon may generally possess the concealed weapon into any area, but may not possess a concealed weapon in certain excluded areas, including in law enforcement or court buildings, in correctional facilities, in certain mental health institutions, beyond security checkpoints in airports, on school grounds and premises, in taverns if the person is consuming alcohol, at special events where organizers don't allow it, or in businesses or on private property where the owner prohibits or limits concealed weapons.

Under this bill, only a person who is a current or former law enforcement officer or a game warden may possess a weapon on a bus that is used for public transit, regardless of whether the person has a license to carry a concealed weapon. A person who does so is subject to a fine up to \$10,000, imprisonment for up to three years and six months, or both.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1         **SECTION 1.** 175.60 (2g) (a) of the statutes is amended to read:

2         175.60 **(2g)** (a) A licensee or an out-of-state licensee may carry a concealed  
3 weapon anywhere in this state except as provided under subs. (15m) and (16) and ss.  
4 941.22, 943.13 (1m) (c), and 948.605 (2) (b) 1r.

5         **SECTION 2.** 175.60 (16) (a) 9. of the statutes is created to read:

6         175.60 **(16)** (a) 9. A motor bus, as defined in s. 340.01 (31), that is used for public  
7 transit.

8         **SECTION 3.** 941.22 of the statutes is created to read:

9         **941.22 Carrying a dangerous weapon on a bus.** (1) Any individual who  
10 possesses a dangerous weapon while boarding or riding a motor bus, as defined in  
11 s. 340.01 (31), that is used for public transit is guilty of a Class I felony.

12         **(2)** Subsection (1) does not apply to the possession of a weapon by any of the  
13 following:

14         (a) A person who is employed in this state by a public agency as a law  
15 enforcement officer.

16         (b) A qualified out-of-state law enforcement officer to whom s. 941.23 (1) (g)  
17 1. to 5. and (2) (b) 1. to 3. applies.

18         (c) A former officer to whom s. 941.23 (2) (c) 1. to 7. applies.

19         (d) A state-certified commission warden acting in his or her official capacity.

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(END)