State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1593/1
CMH:wlj

2025 SENATE BILL 167

April 3, 2025 - Introduced by Senators TOMCZYK and NASS, cosponsored by Representatives ALLEN, MURPHY, BEHNKE, BRILL, DITTRICH, KREIBICH, WICHGERS and KNODL. Referred to Committee on Licensing, Regulatory Reform, State and Federal Affairs.

AN ACT ***to repeal*** 175.60 (7) (d) and 175.60 (15) (b) 4. (intro.) and b.; ***to renumber and amend*** 175.60 (7) (c), 175.60 (15) (b) 4. a., 948.605 (2) (a) and 948.605 (2) (b) 1r.; ***to amend*** 20.455 (2) (gr), 175.60 (2g) (a) and 175.60 (5) (a) 6.; ***to create*** 175.60 (7) (cm) (intro.) and 2., 175.60 (15) (b) 3. (intro.) and b., 948.605 (1) (aj) and 948.605 (2) (bm) 1. of the statutes; **relating to:** possession of a firearm on school grounds by school employees and fees for licenses to carry a concealed weapon.

Analysis by the Legislative Reference Bureau

Both federal law and state law prohibit a person from possessing a firearm on the grounds of a school. Federal and state law provide several identical exceptions to the prohibition, such as for law enforcement and for persons in accordance with a contract between the person and the school. Federal law provides another exception for a person who is licensed to possess a firearm by the state if the state requires a background check to ensure the person is qualified for the license. Since the Department of Justice requires a background check before it issues a person a license to carry a concealed weapon, a licensee is allowed under federal law to

possess a firearm on the grounds of a school. State law, however, does not provide an identical exception, so a licensee is prohibited under state law from possessing a firearm on the grounds of a school.

This bill creates a state exception that is similar to the federal exception. Under the bill, a person who has a license issued by DOJ may possess a firearm on the grounds of a school if the person is employed by the school and the school board or governing entity has adopted a policy that allows employees who are licensees to possess a firearm.

Under current law, a person who applies to DOJ for a license to carry a concealed weapon must pay an application fee and a person who is renewing a license must pay a renewal fee. DOJ must set the fee amount on the basis of the cost it incurs in licensing, but the fee can be no more than $37 for an initial license and $12 for a license renewal. In addition, the person must pay for a background check for each initial application and renewal application; that fee amount is currently $10. The bill waives the initial application fee, renewal fee, and background check fee for teachers who apply for a license.

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

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

SECTION 1. 20.455 (2) (gr) of the statutes is amended to read:

20.455 **(2)** (gr) *Handgun purchaser record check; checks for licenses or certifications to carry concealed weapons.* All moneys received as fee payments under ss. 175.35 (2i), 175.49 (5m), and 175.60 (7) ~~(c) and (d)~~ (cm) 1., (13), and (15) (b) ~~4.~~ 3. a. ~~and b.~~ to provide services under ss. 165.28, 175.35, 175.49, and 175.60.

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

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~~.

SECTION 3. 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.~~ 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 4. 175.60 (7) (c) of the statutes is renumbered 175.60 (7) (cm) 1. and amended to read:

175.60 **(7)** (cm) 1. A fee for a background check that is equal to the fee charged under s. 175.35 (2i) and a license fee in an amount, as determined by the department by rule, that is equal to the cost of issuing the license but does not exceed $37. The department shall determine the costs of issuing a license by using a 5-year planning period.

SECTION 5. 175.60 (7) (cm) (intro.) and 2. of the statutes are created to read:

175.60 **(7)** (cm) (intro.) One of the following:

2. A statement that he or she is a teacher who holds a license or permit issued by the state superintendent of public instruction or proof, as determined by the department, that he or she is employed as a teacher in a private school or tribal school located in this state.

SECTION 6. 175.60 (7) (d) of the statutes is repealed.

SECTION 7. 175.60 (15) (b) 3. (intro.) and b. of the statutes are created to read:

175.60 **(15)** (b) 3. (intro.) Submits one of the following:

b. A statement that the licensee is a teacher who holds a license or permit issued by the state superintendent of public instruction or proof, as determined by

the department, that the licensee is employed as a teacher in a private school or tribal school located in this state.

SECTION 8. 175.60 (15) (b) 4. (intro.) and b. of the statutes are repealed.

SECTION 9. 175.60 (15) (b) 4. a. of the statutes is renumbered 175.60 (15) (b) 3. a. and amended to read:

175.60 **(15)** (b) 3. a. A fee for a background check that is equal to the fee charged under s. 175.35 (2i) and a renewal fee in an amount, as determined by the department by rule, that is equal to the cost of renewing the license but does not exceed $12. The department shall determine the costs of renewing a license by using a 5-year planning period.

SECTION 10. 948.605 (1) (aj) of the statutes is created to read:

948.605 **(1)** (aj) "Licensee" has the meaning given in s. 175.60 (1) (d).

SECTION 11. 948.605 (2) (a) of the statutes is renumbered 948.605 (2) (a) 1. and amended to read:

948.605 **(2)** (a) 1. Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is in or on the grounds of a school is guilty of a Class I felony.

2. Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is within 1,000 feet of the grounds of a school is subject to a Class B forfeiture.

SECTION 12. 948.605 (2) (b) 1r. of the statutes is renumbered 948.605 (2) (bm) 2. and amended to read:

948.605 **(2)** (bm) 2. ~~Except if the person is in or on the grounds of a school,~~

Paragraph (a) 2. does not apply to 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 13. 948.605 (2) (bm) 1. of the statutes is created to read:

948.605 **(2)** (bm) 1. Paragraph (a) 1. does not apply to a licensee who possesses a firearm in or on the grounds of a school if the licensee is employed by the school and one of the following applies:

a. If the school is a public school, other than a charter school established under s. 118.40 (2r) or (2x), the school board has adopted a policy stating that employees who are licensees may possess a firearm in or on the grounds of the school.

b. If the school is a charter school established under s. 118.40 (2r) or (2x), the operator of the charter school has adopted a policy stating that employees who are licensees may possess a firearm in or on the grounds of the school.

c. If the school is a private, parochial, or tribal school, the governing body of the school has adopted a policy stating that employees who are licensees may possess a firearm in or on the grounds of the school.

SECTION 14. Initial applicability.

(1) LICENSE FEE WAIVERS. The treatment of ss. 20.455 (2) (gr) and 175.60 (7) (c), (cm) (intro.) and 2., and (d) and (15) (b) 3. (intro.) and b. and 4. (intro.), a., and b. first applies to applications submitted on the effective date of this subsection.

(END)