



## 2001 SENATE BILL 264

October 3, 2001 - Introduced by Senators MOEN, BURKE, BAUMGART, COWLES, RISSER and ROESSLER, cosponsored by Representatives MUSSER, BLACK, ALBERS, LASSA, LA FAVE, URBAN and MEYERHOFER. Referred to Committee on Environmental Resources.

1     **AN ACT to create** 29.305 and 29.971 (3r) of the statutes; **relating to:** prohibiting  
2             certain persons from obtaining licenses that authorize hunting with a firearm  
3             and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

Current law prohibits certain persons from possessing a firearm. A felon is prohibited from possessing a firearm subsequent to conviction and certain persons adjudicated delinquent may not possess a firearm subsequent to adjudication. A person found not guilty of a felony by reason of mental defect is prohibited from possessing a firearm subsequent to the not guilty finding. Current law also prohibits certain persons ordered not to possess a firearm, such as those committed for treatment for a mental illness, from possessing a firearm while subject to that order. A person who is enjoined from committing acts of domestic abuse or who is enjoined from coming into contact with a child is prohibited from possessing a firearm while the injunction is in effect. Finally, a person who is subject to an order that prohibits the person from engaging in harassing behavior and from possessing a firearm, is prohibited from possessing a firearm while the order is in effect.

With certain exceptions, this bill prohibits a person who, under current law, is prohibited from possessing a firearm from obtaining certain hunting licenses that authorize the person to hunt with a firearm, such as a small game hunting license or a deer hunting license (hunting license). Under an exception to this general prohibition, the bill allows such a person to obtain a turkey hunting license or a bear hunting license, both of which also authorize hunting with a bow and arrow, if the

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person uses the license to hunt turkey or bear only with a bow and arrow and not with a firearm.

For further information see the *state* 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.** 29.305 of the statutes is created to read:

2           **29.305 Persons prohibited from obtaining hunting and using licenses.**

3           **(1)** In this section, “hunting license” means a small game hunting license issued  
4           under s. 29.161, 29.204, or 29.207, a deer hunting license issued under s. 29.173 or  
5           29.211, a sports license issued under s. 29.231, a conservation patron license issued  
6           under s. 29.235, a wild turkey hunting license issued under s. 29.164, or a bear  
7           hunting license issued under s. 29.184.

8           **(2)** (a) No person may obtain or use a hunting license if the person is prohibited  
9           from possessing a firearm under s. 941.29 (1).

10           (b) Notwithstanding par. (a), a person who is prohibited from possessing a  
11           firearm under s. 941.29 (1) may obtain and use a wild turkey hunting license under  
12           s. 29.164 or a bear hunting license under s. 29.184 if the person uses the respective  
13           license to hunt wild turkey or bear with a bow and arrow only.

14           **(3)** The department shall inform each person who applies for a hunting license  
15           of the prohibition under sub. (2) and the penalties under ss. 29.971 (3r) and 941.29.

16           **SECTION 2.** 29.971 (3r) of the statutes is created to read:

17           **29.971 (3r)** For possessing a hunting license in violation of s. 29.305, by a  
18           forfeiture of not less than \$1,000 nor more than \$2,000. In addition, the court shall  
19           order the revocation of all hunting, fishing, and trapping approvals issued to the  
20           person under this chapter and shall prohibit the person from holding any hunting,

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1 fishing, or trapping approval under this chapter for a period of 5 years from the date  
2 of the court's order.

3 **SECTION 3. Effective date.**

4 (1) This act takes effect on the first day of the 7th month beginning after  
5 publication.

6 (END)