



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4759/1
CMH:klm

2021 BILL

1 **AN ACT** *to repeal* 23.33 (3c), 29.089 (2), 29.091 (2), 29.621 (4) (a) to (d), 167.31
2 (1) (cm) and (2) (a) and (b), 167.31 (3) (a) 2., 167.31 (4) (ag), 167.31 (4) (am) 2.
3 and 3., 167.31 (4) (bg), (bn) and (bt), 167.31 (4) (cm) and (d), 173.07 (5) (b), 175.60
4 (1) (dm) and (h), 175.60 (2g), 175.60 (2m) (bm), 175.60 (11) (b) 2., 3. and 4.,
5 175.60 (16), 175.60 (17) (a), (ac) and (b), 440.26 (3m), 941.23, 941.235, 941.237
6 (1) (a) to (dr) and (em) to (g), 941.237 (3), 948.605 (1) (ag) and (ar) and 973.137
7 (1); **to renumber** 175.60 (12) (b) 1. a. and b. and 943.13 (4m) (am); **to renumber**
8 **and amend** 29.091 (1), 29.621 (4) (intro.), 167.31 (4) (am) 1., 175.60 (11) (b) 1.,
9 175.60 (12) (b) 2., 175.60 (15m), 175.60 (21) (c) and 943.13 (4m) (bm); **to**
10 **consolidate, renumber and amend** 167.31 (3) (a) (intro.) and 1. and 941.237
11 (1) (intro.) and (e); **to amend** 29.301 (1) (b), 29.314 (3) (title) and (a) and (4)
12 (title) and (a), 110.07 (1) (a) 1. and 3. and (b), 167.31 (2) (c), 167.31 (2) (d), 167.31
13 (2) (e), 167.31 (4) (a) (intro.), 167.31 (4) (b), 167.31 (4) (c) and (cg) (intro.), 167.31
14 (4) (f), (i) and (j), 175.60 (2) (c), 175.60 (2m) (a), 175.60 (5) (a) (intro.), 175.60 (5)

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1 (a) 6., 175.60 (12) (a), 345.11 (1s), 345.20 (2) (f), 938.34 (14q), 938.78 (3), 939.632
2 (1) (e) 3., 941.237 (2), 941.295 (2g) (c), 941.299 (1) (a), 943.13 (1m) (c) 4., 948.605
3 (2) (b) 2d., 2f. and 2h. and (3) (b) 5., 6. and 7. and 968.255 (1) (a) 2.; and **to create**
4 66.0409 (2m), 167.31 (4) (a) 1. and 943.13 (1p) of the statutes; **relating to:** right
5 to carry a weapon in this state.

Analysis by the Legislative Reference Bureau

Current law generally prohibits an individual from carrying a concealed weapon unless the individual has either a license to carry a concealed weapon that is issued by the Department of Justice or a law enforcement identification card indicating that he or she is a qualified current or former law enforcement officer. This bill eliminates the general prohibition against going armed with a concealed weapon without regard to whether the individual has such a license or card.

The bill maintains the option to have a license to carry a concealed weapon or a law enforcement identification card so that licensees or card holders may carry a concealed firearm in other states that require licensure and so that they do not violate federal law when possessing a firearm in a school zone. The federal gun-free school zone law generally prohibits the possession of a firearm in a school zone but exempts an individual who is licensed to possess a firearm by the state in which the school zone is located if the license involves a background check on the individual. The bill does not change the current state gun-free school zone law that allows a licensee to carry a firearm in a school zone anywhere but on school grounds and allows a person who has a law enforcement identification card to carry anywhere in a school zone.

The bill eliminates the general prohibition against carrying a firearm in certain buildings, such as a police station, a house of correction, or a secure mental health facility, but allows the appropriate entity to post the buildings against carrying a firearm. A person who violates the posting is guilty of criminal trespass. The bill eliminates the general prohibition against carrying a firearm in a tavern, but prohibits a person from consuming alcohol if carrying a firearm in a tavern. The tavern owner may post the tavern against carrying a firearm, and a person who violates the posting is guilty of criminal trespass. The bill also eliminates a prohibition on loading a firearm in a vehicle; under current law, the only exception to this prohibition is for a handgun. The bill expressly prohibits a local government from prohibiting persons from carrying a firearm or knife on a vehicle that is part of a mass public transportation system.

This bill also eliminates the prohibitions against carrying a firearm, bow, or crossbow in a wildlife refuge and eliminates the prohibitions against carrying a firearm, bow, or crossbow while engaging in certain activities, such as operating an all-terrain vehicle. In addition, current law prohibits an individual from shining

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wildlife while the individual is hunting or possessing a firearm, bow and arrow, or crossbow. This bill maintains that the individual may not shine wildlife while hunting but eliminates the prohibition on shining while possessing a firearm, bow and arrow, or crossbow.

For further information see the *state* 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:

1 **SECTION 1.** 23.33 (3c) of the statutes is repealed.

2 **SECTION 2.** 29.089 (2) of the statutes is repealed.

3 **SECTION 3.** 29.091 (1) of the statutes is renumbered 29.091 and amended to
4 read:

5 **29.091 Hunting or trapping in wildlife refuge.** No person may hunt or trap
6 within any wildlife refuge established under s. 23.09 (2) (b) or 29.621 (1), ~~or, except~~
7 ~~as provided in sub. (2), have possession or control of any gun, firearm, bow or~~
8 ~~crossbow unless the gun or firearm is unloaded, the bow or crossbow is unstrung and~~
9 ~~the gun, firearm, bow or crossbow is enclosed within a carrying case.~~ The taking of
10 predatory game birds and animals shall be done as the department directs. All state
11 wildlife refuge boundary lines shall be marked by posts placed at intervals of not over
12 500 feet and bearing signs with the words "Wisconsin Wildlife Refuge".

13 **SECTION 4.** 29.091 (2) of the statutes is repealed.

14 **SECTION 5.** 29.301 (1) (b) of the statutes is amended to read:

15 29.301 (1) (b) No person may hunt within ~~1,700~~ 1,000 feet of any hospital,
16 sanatorium, or the grounds of any school. The department may designate the form
17 for or furnish signs designating the restricted area. No person may be convicted of
18 a violation of this paragraph unless the restricted area is designated by the signs.

BILL**SECTION 6**

1 **SECTION 6.** 29.314 (3) (title) and (a) and (4) (title) and (a) of the statutes are
2 amended to read:

3 29.314 **(3)** (title) SHINING DEER, ELK, OR BEAR WHILE HUNTING ~~OR POSSESSING~~
4 ~~WEAPONS PROHIBITED.~~ (a) *Prohibition.* No person may use or possess with intent to
5 use a light for shining deer, elk, or bear while the person is hunting deer, elk, or bear
6 ~~or in possession of a firearm, bow and arrow, or crossbow.~~

7 **(4)** (title) SHINING WILD ANIMALS WHILE HUNTING ~~OR POSSESSING WEAPONS~~
8 ~~PROHIBITED.~~ (a) *Prohibition.* No person may use or possess with intent to use a light
9 for shining wild animals while the person is hunting ~~or in possession of a firearm,~~
10 ~~bow and arrow or crossbow.~~

11 **SECTION 7.** 29.621 (4) (intro.) of the statutes is renumbered 29.621 (4) and
12 amended to read:

13 29.621 **(4)** PROTECTION. Except as provided in s. 29.091 ~~(1)~~, no owner of a
14 wildlife refuge, and no other person, may hunt or trap within the boundaries of any
15 wildlife refuge ~~or have in his or her possession or under his or her control in the~~
16 ~~wildlife refuge a gun, firearm, bow or crossbow, unless the gun or firearm is unloaded,~~
17 ~~the bow or crossbow is unstrung and the gun, firearm, bow or crossbow is enclosed~~
18 ~~within a carrying case. This subsection, as it relates to the possession or control of~~
19 ~~a loaded or unencased firearm, does not apply to any of the following:.~~

20 **SECTION 8.** 29.621 (4) (a) to (d) of the statutes are repealed.

21 **SECTION 9.** 66.0409 (2m) of the statutes is created to read:

22 66.0409 **(2m)** No political subdivision or other person may prohibit individuals
23 from going armed with a firearm or knife on a vehicle that is part of a public mass
24 transportation system.

25 **SECTION 10.** 110.07 (1) (a) 1. and 3. and (b) of the statutes are amended to read:

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1 110.07 (1) (a) 1. Enforce and assist in the administration of this chapter and
2 chs. 194, 218, 341 to 349 and 351, and ss. 23.33, 23.335, 125.07 (4) (b), 125.085 (3)
3 (b), 167.31 (2) ~~(b) to (c)~~ and (d) and 287.81 and ch. 350 where applicable to highways,
4 or orders or rules issued pursuant thereto.

5 3. Have authority to enter any place where vehicles subject to this chapter, ss.
6 167.31 (2) ~~(b) to (c)~~ and (d) and 287.81 and chs. 194, 218 and 341 to 350 are stored
7 or parked at any time to examine such vehicles, or to stop such vehicles while en route
8 at any time upon the public highways to examine the same and make arrests for all
9 violations thereof.

10 (b) All municipal judges, judges, district attorneys and law enforcement officers
11 shall assist in enforcing this chapter, ss. 167.31 (2) ~~(b) to (c)~~ and (d) and 287.81 and
12 chs. 194, 218 and 341 to 351, and orders or rules issued pursuant thereto and shall
13 report to the department the disposition of every uniform traffic citation issued for
14 cases involving those chapters.

15 **SECTION 11.** 167.31 (1) (cm) and (2) (a) and (b) of the statutes are repealed.

16 **SECTION 12.** 167.31 (2) (c) of the statutes is amended to read:

17 167.31 (2) (c) Except as provided in sub. (4), no person may ~~load a firearm, other~~
18 ~~than a handgun, in a vehicle or~~ discharge a firearm or shoot a bolt or an arrow from
19 a bow or crossbow in or from a vehicle.

20 **SECTION 13.** 167.31 (2) (d) of the statutes, as affected by 2021 Wisconsin Act 62,
21 is amended to read:

22 167.31 (2) (d) Except as provided in sub. (4) (a), ~~(bg)~~, (cg), (e), (fm), and (g), no
23 person may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow
24 from or across a highway or within 50 feet of the center of a roadway.

25 **SECTION 14.** 167.31 (2) (e) of the statutes is amended to read:

BILL**SECTION 14**

1 167.31 (2) (e) A person who violates ~~pars. (a) to par. (c)~~ par. (c) or (d) is subject to a
2 forfeiture of not more than \$100.

3 **SECTION 15.** 167.31 (3) (a) (intro.) and 1. of the statutes are consolidated,
4 renumbered 167.31 (3) (a) and amended to read:

5 167.31 (3) (a) Except as provided in sub. (4), no person may ~~do any of the~~
6 ~~following:~~ 1. Place place, possess, or transport a firearm, bow, or crossbow in or on
7 a commercial aircraft, unless the firearm is unloaded and encased or unless the bow
8 or crossbow is unstrung or is enclosed in a carrying case.

9 **SECTION 16.** 167.31 (3) (a) 2. of the statutes is repealed.

10 **SECTION 17.** 167.31 (4) (a) (intro.) of the statutes is amended to read:

11 167.31 (4) (a) (intro.) Subsections (2) and (3) do not
12 apply to any of the following who, are acting in the line of duty, ~~place, possess,~~
13 ~~transport, load or discharge a firearm in, on or from a vehicle, motorboat or aircraft~~
14 ~~or discharge a firearm from or across a highway or within 50 feet of the center of a~~
15 ~~roadway:~~

16 **SECTION 18.** 167.31 (4) (a) 1. of the statutes is created to read:

17 167.31 (4) (a) 1. A peace officer.

18 **SECTION 19.** 167.31 (4) (ag) of the statutes is repealed.

19 **SECTION 20.** 167.31 (4) (am) 1. of the statutes is renumbered 167.31 (4) (am)
20 and amended to read:

21 167.31 (4) (am) Subsections (2) ~~(a), (c) and (d)~~ and (3) ~~(a) and (b)~~ do not apply
22 to a peace officer who, in the line of duty, loads or discharges a firearm in, on, or from
23 a vehicle, ~~motorboat~~ or aircraft or discharges a firearm from or across a highway or
24 within 50 feet of the center of a roadway.

25 **SECTION 21.** 167.31 (4) (am) 2. and 3. of the statutes are repealed.

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1 **SECTION 22.** 167.31 (4) (b) of the statutes is amended to read:

2 167.31 (4) (b) Subsections (2) ~~(a), (b)~~ and (c), (3) (a) and (b), and (3m) do not
3 apply to the holder of a scientific research license under s. 169.25 or a scientific
4 collector permit under s. 29.614 who is using a net gun or tranquilizer gun in an
5 activity related to the purpose for which the license or permit was issued.

6 **SECTION 23.** 167.31 (4) (bg), (bn) and (bt) of the statutes are repealed.

7 **SECTION 24.** 167.31 (4) (c) and (cg) (intro.) of the statutes are amended to read:

8 167.31 (4) (c) Subsection (2) ~~(b)~~ and (c) does not apply to the holder of a Class A
9 or Class B permit under s. 29.193 (2) who is hunting from a stationary vehicle.

10 (cg) (intro.) A holder of a Class A or Class B permit under s. 29.193 (2) who is
11 hunting from a stationary vehicle may load and discharge a firearm or shoot a bolt
12 or an arrow within 50 feet of the center of a roadway if all of the following apply:

13 **SECTION 25.** 167.31 (4) (cm) and (d) of the statutes are repealed.

14 **SECTION 26.** 167.31 (4) (f), (i) and (j) of the statutes are amended to read:

15 167.31 (4) (f) Subsection (2) (d) does not prohibit a person from possessing a
16 loaded firearm within 50 feet of the center of a roadway if the person does not violate
17 sub. (2) ~~(b)~~ or (c).

18 (i) Subsection (2) ~~(b)~~ and (c) does not apply to a person legally hunting from a
19 stationary nonmotorized vehicle that is not attached to a motor vehicle.

20 167.31 (4) (j) Subsection (2) ~~(b)~~ and (c) does not apply to a person legally hunting
21 from a stationary motor vehicle if the person is hunting from a part of the vehicle or
22 a piece of equipment attached to the vehicle that is raised by mechanical means not
23 fewer than 5 feet above the ground or above the lowered resting position of the part
24 or piece of equipment, whichever is higher.

25 **SECTION 27.** 173.07 (5) (b) of the statutes is repealed.

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1 **SECTION 28.** 175.60 (2) (c) of the statutes is amended to read:

2 175.60 (2) (c) Unless expressly provided in this section, this section does not
3 limit an individual's right to carry a firearm, whether that firearm is concealed or is
4 not concealed or whether or not the individual is a licensee or an out-of-state
5 licensee.

6 **SECTION 29.** 175.60 (2g) of the statutes is repealed.

7 **SECTION 30.** 175.60 (2m) (a) of the statutes is amended to read:

8 175.60 (2m) (a) Subject to pars. (b), ~~(bm)~~, (c), and (d), the department shall
9 design a single license document for licenses issued and renewed under this section.
10 ~~The department shall complete the design of the license document no later than~~
11 ~~September 1, 2011.~~

12 **SECTION 31.** 175.60 (2m) (bm) of the statutes is repealed.

13 **SECTION 32.** 175.60 (5) (a) (intro.) of the statutes is amended to read:

14 175.60 (5) (a) (intro.) The department shall design an application form for use
15 by individuals who apply for a license under this section and a renewal form for use
16 by individuals applying for renewal of a license under sub. (15). ~~The department~~
17 ~~shall complete the design of the application form no later than September 1, 2011,~~
18 ~~and shall complete the design of the renewal form no later than July 1, 2014.~~ The
19 forms shall require the applicant to provide only his or her name, address, date of
20 birth, state identification card number, race, sex, height, and eye color and shall
21 include all of the following:

22 **SECTION 33.** 175.60 (5) (a) 6. of the statutes is amended to read:

23 175.60 (5) (a) 6. ~~A statement of the places under sub. (16) where a licensee is~~
24 ~~prohibited from carrying a weapon, as well as an~~ An explanation of the provisions
25 under ~~sub. (15m) and ss. 943.13 (1m) (c) and 948.605 (2) (b) 1r.~~ that could limit the

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1 places where the licensee may carry a weapon, with a place for the applicant to sign
2 his or her name to indicate that he or she has read and understands the statement.

3 **SECTION 34.** 175.60 (11) (b) 1. of the statutes is renumbered 175.60 (11) (b) and
4 amended to read:

5 175.60 (11) (b) No later than 30 days after changing his or her address, a
6 licensee shall inform the department of the new address. The department shall
7 include the individual's new address in the list under sub. (12) (a). The penalty under
8 s. 939.61 does not apply to a violation under this paragraph.

9 **SECTION 35.** 175.60 (11) (b) 2., 3. and 4. of the statutes are repealed.

10 **SECTION 36.** 175.60 (12) (a) of the statutes is amended to read:

11 175.60 (12) (a) The department shall maintain a computerized record listing
12 the names and the information specified in sub. (2m) (b) of all individuals who have
13 been issued a license under this section and all individuals issued a certification card
14 under s. 175.49 (3). Subject to par. (b) ~~1.~~ 2. b., neither the department nor any
15 employee of the department may store, maintain, format, sort, or access the
16 information in any way other than by the names, dates of birth, or sex of licensees
17 or individuals or by the identification numbers assigned to licensees under sub. (2m)
18 (b) 6.

19 **SECTION 37.** 175.60 (12) (b) 1. a. and b. of the statutes are renumbered 175.60
20 (12) (b) 2. a. and b.

21 **SECTION 38.** 175.60 (12) (b) 2. of the statutes is renumbered 175.60 (12) (b) 2.
22 (intro.) and amended to read:

23 175.60 (12) (b) 2. (intro.) A person who is a law enforcement officer in a state
24 other than Wisconsin may request and be provided information ~~under subd. 1. a. and~~
25 ~~b.~~ only for one of the following purposes:

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1 **SECTION 39.** 175.60 (15m) of the statutes is renumbered 103.08 and amended
2 to read:

3 **103.08 Employer restrictions on carrying a weapon.** (1) Except as
4 provided in ~~par. (b) sub. (2)~~, an employer may prohibit ~~a licensee or an out-of-state~~
5 ~~licensee that it employs~~ an employee from carrying a concealed weapon or a
6 particular type of concealed weapon in the course of the licensee's or out-of-state
7 licensee's employee's employment or during any part of the ~~licensee's or out-of-state~~
8 licensee's employee's course of employment.

9 (2) An employer may not prohibit ~~a licensee or an out-of-state licensee~~ an
10 employee, as a condition of employment, from carrying a concealed weapon, a
11 particular type of concealed weapon, or ammunition or from storing a weapon, a
12 particular type of weapon, or ammunition in the licensee's or out-of-state licensee's
13 employee's own motor vehicle, regardless of whether the motor vehicle is used in the
14 course of employment or whether the motor vehicle is driven or parked on property
15 used by the employer.

16 **SECTION 40.** 175.60 (16) of the statutes is repealed.

17 **SECTION 41.** 175.60 (17) (a), (ac) and (b) of the statutes are repealed.

18 **SECTION 42.** 175.60 (21) (c) of the statutes is renumbered 103.08 (3) and
19 amended to read:

20 103.08 (3) An employer that does not prohibit one or more employees from
21 carrying a concealed weapon under sub. ~~(15m)~~ (1) is immune from any liability
22 arising from its decision.

23 **SECTION 43.** 345.11 (1s) of the statutes is amended to read:

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1 345.11 **(1s)** The uniform traffic citation shall be used by a traffic officer
2 employed under s. 110.07 for a violation of s. 167.31 (2) ~~(b)~~, (c) or (d) when committed
3 on a highway.

4 **SECTION 44.** 345.20 (2) (f) of the statutes is amended to read:

5 345.20 **(2)** (f) Sections 23.50 to 23.85 apply to actions in circuit court to recover
6 forfeitures and weapons surcharges imposed under ch. 814 for violations of s. 167.31
7 (2) ~~(b)~~, (c), or (d). No points may be assessed against the driving record of a person
8 convicted of a violation of s. 167.31 (2) ~~(b)~~, (c), or (d). The report of conviction shall
9 be forwarded to the department.

10 **SECTION 45.** 440.26 (3m) of the statutes is repealed.

11 **SECTION 46.** 938.34 (14q) of the statutes is amended to read:

12 938.34 **(14q)** CERTAIN BOMB SCARES AND FIREARM VIOLATIONS. In addition to any
13 other disposition imposed under this section, if the juvenile is found to have violated
14 s. 947.015 and the property involved is owned or leased by the state or any political
15 subdivision of the state, or if the property involved is a school premises, as defined
16 in s. 948.61 (1) (c), or if the juvenile is found to have violated s. ~~941.235~~ or 948.605,
17 immediately suspend the juvenile's operating privilege, as defined in s. 340.01 (40),
18 for 2 years. The court shall immediately forward to the department of transportation
19 the notice of suspension, stating that the suspension is for a violation of s. 947.015
20 involving school premises, or for a violation of s. ~~941.235~~ or 948.605. If otherwise
21 eligible, the juvenile is eligible for an occupational license under s. 343.10.

22 **SECTION 47.** 938.78 (3) of the statutes is amended to read:

23 938.78 **(3)** RELEASE OF INFORMATION WHEN ESCAPE OR ABSENCE; RULES. If a juvenile
24 adjudged delinquent under s. 48.12, 1993 stats., or s. 938.12 or found to be in need
25 of protection or services under s. 48.13 (12) or (14), 1993 stats., or s. 938.13 (12) or

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1 (14) on the basis of a violation of s. 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11,
2 941.20, 941.21, ~~941.23~~, 941.231, ~~941.235~~, 941.237, 941.26, 941.28, 941.295, 941.298,
3 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g),
4 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055, 948.085 (2), 948.60, 948.605, or
5 948.61 or any crime specified in ch. 940 has escaped from a juvenile correctional
6 facility, residential care center for children and youth, secured residential care center
7 for children and youth, inpatient facility, as defined in s. 51.01 (10), juvenile
8 detention facility, or juvenile portion of a county jail, or from the custody of a peace
9 officer or a guard of such a facility, center, or jail, or has been allowed to leave a
10 juvenile correctional facility, residential care center for children and youth, secured
11 residential care center for children and youth, inpatient facility, juvenile detention
12 facility, or juvenile portion of a county jail for a specified time period and is absent
13 from the facility, center, home, or jail for more than 12 hours after the expiration of
14 the specified period, the department of corrections or county department, whichever
15 has supervision over the juvenile, may release the juvenile's name and any
16 information about the juvenile that is necessary for the protection of the public or to
17 secure the juvenile's return to the facility, center, home, or jail. The department of
18 corrections shall promulgate rules establishing guidelines for the release of the
19 juvenile's name or information about the juvenile to the public.

20 **SECTION 48.** 939.632 (1) (e) 3. of the statutes is amended to read:

21 939.632 (1) (e) 3. Any misdemeanor under s. 940.19 (1), 940.225 (3m), 940.32
22 (2), 940.42, 940.44, 941.20 (1), ~~941.23~~, 941.231, ~~941.235~~, or 941.38 (3).

23 **SECTION 49.** 941.23 of the statutes is repealed.

24 **SECTION 50.** 941.235 of the statutes is repealed.

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1 **SECTION 51.** 941.237 (1) (intro.) and (e) of the statutes are consolidated,
2 renumbered 941.237 (1) and amended to read:

3 941.237 (1) In this section: ~~(e) “Premises”,~~ “premises” has the meaning given
4 in s. 125.02 (14m), but excludes any area primarily used as a residence.

5 **SECTION 52.** 941.237 (1) (a) to (dr) and (em) to (g) of the statutes are repealed.

6 **SECTION 53.** 941.237 (1) (a) to (cm), (dm), (dr), and (em) to (g) of the statutes
7 are repealed.

8 **SECTION 54.** 941.237 (2) of the statutes is amended to read:

9 941.237 (2) Whoever intentionally goes armed with a handgun on any premises
10 for which a Class “B” or “Class B” license or permit has been issued under ch. 125,
11 while consuming alcohol on the premises, is guilty of a Class A misdemeanor.

12 **SECTION 55.** 941.237 (3) of the statutes is repealed.

13 **SECTION 56.** 941.295 (2g) (c) of the statutes is amended to read:

14 941.295 (2g) (c) An individual who has a license or permit issued under s.
15 440.26, and who is on official duty, ~~and who may carry a firearm under rules~~
16 ~~promulgated under s. 440.26 (3m).~~

17 **SECTION 57.** 941.299 (1) (a) of the statutes is amended to read:

18 941.299 (1) (a) “Correctional officer” ~~has the meaning given in s. 941.237 (1)~~
19 ~~(b) means any person employed by the state or any political subdivision as a guard~~
20 or officer whose principal duties are the supervision and discipline of inmates.

21 **SECTION 58.** 943.13 (1m) (c) 4. of the statutes is amended to read:

22 943.13 (1m) (c) 4. While carrying a firearm, enters or remains in any part of
23 a building that is owned, occupied, or controlled by the state or any local
24 governmental unit, ~~excluding any building or portion of a building under s. 175.60~~
25 ~~(16) (a),~~ if the state or local governmental unit has notified the actor not to enter or

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1 remain in the building while carrying a firearm or with that type of firearm. This
2 subdivision does not apply to a person who leases residential or business premises
3 in the building or, if the firearm is in a vehicle driven or parked in the parking facility,
4 to any part of the building used as a parking facility.

5 **SECTION 59.** 943.13 (1p) of the statutes is created to read:

6 943.13 **(1p)** Unless sub. (1m) (c) specifically allows a person to prohibit entering
7 or remaining in or at the location while carrying a firearm, an individual does not
8 violate this section only because he or she is carrying a firearm while entering or
9 remaining in or at a location.

10 **SECTION 60.** 943.13 (4m) (bm) of the statutes is amended to read:

11 943.13 **(4m)** (bm) Subsection (1m) (c) 2. and 4. does not apply to a law
12 enforcement officer employed in this state by a public agency ~~to whom s. 941.23 (1)~~
13 ~~(g) 2. to 5. and (2) (b) 1. to 3. applies~~ who is in compliance with 18 USC 926B, to a
14 qualified out-of-state law enforcement officer, ~~as defined in s. 941.23 (1) (g), to whom~~
15 ~~s. 941.23 (2) (b) 1. to 3. applies~~ who is in compliance with 18 USC 926B, or to a former
16 law enforcement officer, ~~as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1. to~~
17 ~~7. applies~~ who is in compliance with 18 USC 926C if the law enforcement officer, the
18 qualified out-of-state law enforcement officer, or the former law enforcement officer
19 is in or on the grounds of a school, as defined in s. 948.61 (1) (b).

20 **SECTION 61.** 948.605 (1) (ag) and (ar) of the statutes are repealed.

21 **SECTION 62.** 948.605 (2) (b) 2d., 2f. and 2h. and (3) (b) 5., 6. and 7. of the statutes
22 are amended to read:

23 948.605 **(2)** (b) 2d. A person who is employed in this state by a public agency
24 as a law enforcement officer and ~~to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3.~~
25 ~~applies~~ who is in compliance with 18 USC 926B.

