



2021 SENATE BILL 904

February 1, 2022 - Introduced by Senators LARSON, JOHNSON, ROYS, AGARD and SMITH, cosponsored by Representatives STUBBS, ANDRACA, BROSTOFF, CONLEY, CONSIDINE, HESSELBEIN, HONG, SUBECK, SINICKI, OHNSTAD, BALDEH, SNODGRASS, SPREITZER, POPE, HEBL, SHELTON and EMERSON. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to amend** 175.60 (2g) (a), 175.60 (5) (a) 6., 938.34 (14q), 938.78 (3),
2 939.632 (1) (e) 3. and 973.137 (1); and **to create** 941.236 of the statutes;
3 **relating to:** going armed at a polling place and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law generally prohibits carrying a firearm on school grounds, in a public building, and in a tavern. Current law provides exceptions, such as for law enforcement officers and, in some public buildings and in taverns, for persons who have a license to carry a concealed weapon. This bill prohibits carrying a firearm in or within 40 feet of a polling place or a location where election officials are conducting a canvass or a recount. The prohibition on the polling place begins one hour before the polling place opens and ends one hour after the polling place closes. Law enforcement officers and security personnel are exempted from the prohibitions created under this bill.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

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

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1 175.60 **(2g)** (a) A licensee or an out-of-state licensee may carry a concealed
2 weapon anywhere in this state except as provided under subs. (15m) and (16) and ss.
3 941.236, 943.13 (1m) (c), and 948.605 (2) (b) 1r.

4 **SECTION 2.** 175.60 (5) (a) 6. of the statutes is amended to read:

5 175.60 **(5)** (a) 6. A statement of the places under sub. (16) and s. 941.236 where
6 a licensee is prohibited from carrying a weapon, as well as an explanation of the
7 provisions under sub. (15m) and ss. 943.13 (1m) (c) and 948.605 (2) (b) 1r. that could
8 limit the places where the licensee may carry a weapon, with a place for the applicant
9 to sign his or her name to indicate that he or she has read and understands the
10 statement.

11 **SECTION 3.** 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, 941.236, or
17 948.605, immediately suspend the juvenile's operating privilege, as defined in s.
18 340.01 (40), for 2 years. The court shall immediately forward to the department of
19 transportation the notice of suspension, stating that the suspension is for a violation
20 of s. 947.015 involving school premises, or for a violation of s. 941.235, 941.236, or
21 948.605. If otherwise eligible, the juvenile is eligible for an occupational license
22 under s. 343.10.

23 **SECTION 4.** 938.78 (3) of the statutes is amended to read:

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

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1 of protection or services under s. 48.13 (12) or (14), 1993 stats., or s. 938.13 (12) or
2 (14) on the basis of a violation of s. 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11,
3 941.20, 941.21, 941.23, 941.231, 941.235, 941.236, 941.237, 941.26, 941.28, 941.295,
4 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a),
5 943.23 (1g), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055, 948.085 (2), 948.60,
6 948.605, or 948.61 or any crime specified in ch. 940 has escaped from a juvenile
7 correctional facility, residential care center for children and youth, secured
8 residential care center for children and youth, inpatient facility, as defined in s. 51.01
9 (10), juvenile detention facility, or juvenile portion of a county jail, or from the
10 custody of a peace officer or a guard of such a facility, center, or jail, or has been
11 allowed to leave a juvenile correctional facility, residential care center for children
12 and youth, secured residential care center for children and youth, inpatient facility,
13 juvenile detention facility, or juvenile portion of a county jail for a specified time
14 period and is absent from the facility, center, home, or jail for more than 12 hours
15 after the expiration of the specified period, the department of corrections or county
16 department, whichever has supervision over the juvenile, may release the juvenile's
17 name and any information about the juvenile that is necessary for the protection of
18 the public or to secure the juvenile's return to the facility, center, home, or jail. The
19 department of corrections shall promulgate rules establishing guidelines for the
20 release of the juvenile's name or information about the juvenile to the public.

21 **SECTION 5.** 939.632 (1) (e) 3. of the statutes is amended to read:

22 939.632 (1) (e) 3. Any misdemeanor under s. 940.19 (1), 940.225 (3m), 940.32
23 (2), 940.42, 940.44, 941.20 (1), 941.23, 941.231, 941.235, 941.236, or 941.38 (3).

24 **SECTION 6.** 941.236 of the statutes is created to read:

