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# Wisconsin Legislative Council

## ACT MEMO

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### 2023 Wisconsin Act 115 [2023 Senate Bill 586]

### Hunting With an Airgun

## BACKGROUND

Generally, airguns are not firearms under Wisconsin law, including for purposes of hunting seasons established by the Department of Natural Resources (DNR).<sup>1</sup> Thus, under prior law, hunting with an airgun was generally not permitted during seasons established by DNR for hunting with a firearm. However, prior law, retained by 2023 Wisconsin Act 115, specifically authorized hunting certain small game species and fur-bearing animals with an airgun.

## 2023 WISCONSIN ACT 115

2023 Wisconsin Act 115 modifies prior law to treat airguns<sup>2</sup> the same as firearms for certain purposes. First, the act generally requires DNR to allow the use of an airgun for hunting during any hunting season that is open for hunting an animal with a firearm. The act authorizes DNR to promulgate rules limiting the types of airguns that may be used to hunt specific species during particular hunting seasons. In doing so, the act requires DNR to allow the use of airguns and airgun ammunition that are similar to permitted firearms and firearm ammunition with regard to effectiveness for hunting.

Corresponding to that change, the act modifies provisions throughout the chapter of the statutes that governs hunting, with the effect of generally treating airguns the same as firearms for purposes of various requirements and prohibitions relating to hunting.

Similarly, the act amends provisions throughout a section of the statutes that governs the safe use and transportation of firearms, with the effect of treating airguns the same as firearms with respect to their discharge and transportation.

Finally, the act expands the application of a general prohibition relating to local regulation of firearms to also apply to airguns.

**Effective date:** March 16, 2024

For a full history of the bill, visit the Legislature's [bill history page](#).

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<sup>1</sup> Wisconsin law defines a “firearm” as a weapon that acts by force of gunpowder. [s. 167.31(1)(c), Stats.]

<sup>2</sup> The act defines “airgun” to mean a weapon originally manufactured to expel one or more metal projectiles by the expansion of compressed air.