



## 1995 SENATE BILL 85

February 28, 1995 – Introduced by Senators A. LASEE, DRZEWIECKI, ZIEN, MOEN, ANDREA, BRESKE, RUDE, SCHULTZ and FITZGERALD, cosponsored by Representatives JOHNSRUD, PORTER, GARD, HAHN, LEHMAN, DOBYNS, FREESE, KAUFERT, OTTE, LADWIG, HOVEN, KREIBICH, MUSSER, DUFF, COLEMAN, GOETSCH, GREEN, SILBAUGH, F. LASEE, NASS, HASENOHRL, SPRINGER, HANDRICK, HARSDFORF, GUNDERSON, OLSEN, BRANDEMUEHL, MEYER, JENSEN, SKINDRUD, OWENS, WOOD, ZIEGELBAUER and SERATTI. Referred to Committee on State Government Operations and Corrections.

- 1     **AN ACT to create** 66.092 of the statutes; **relating to:** the regulation of firearms  
2             by cities, villages, towns and counties.

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### *Analysis by the Legislative Reference Bureau*

This bill prohibits any city, village, town or county (political subdivision) from enacting an ordinance that regulates firearms in a way that is more stringent than state law. A political subdivision that has in effect on the effective date of this bill an ordinance that regulates firearms may continue to enforce that ordinance if the ordinance is the same as or similar to a state statute. Also under the bill, a county ordinance only applies in those towns in the county that do not have in effect an ordinance that regulates firearms.

For further information see the *state and local* 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:***

- 3             **SECTION 1.** 66.092 of the statutes is created to read:  
4             **66.092 Local regulation of firearms.** (1) In this section:  
5             (a) “Firearm” has the meaning given in s. 167.31 (1) (c).  
6             (b) “Political subdivision” means a city, village, town or county.  
7             **(2)** Except as provided in subs. (3) and (4), no political subdivision may enact  
8             an ordinance or adopt a resolution that regulates the sale, purchase, purchase delay,

**SECTION 1**

1 transfer, ownership, use, keeping, possession, bearing, transportation, licensing,  
2 permitting, registration or taxation of any firearm unless the ordinance or resolution  
3 is the same as or similar to, and no more stringent than, a state statute.

4 (3) Nothing in this section prohibits a county from imposing a sales tax or use  
5 tax under subch. V of ch. 77 on any firearm sold in the county.

6 (4) (a) Nothing in this section prohibits a political subdivision from continuing  
7 to enforce an ordinance or resolution that is in effect on the effective date of this  
8 subsection .... [revisor inserts date], and that regulates the sale, purchase, purchase  
9 delay, transfer, ownership, use, keeping, possession, bearing, transportation,  
10 licensing, permitting, registration or taxation of any firearm if the ordinance or  
11 resolution is the same as or similar to, and no more stringent than, a state statute.

12 (b) If a political subdivision has in effect on the day before the effective date of  
13 this paragraph .... [revisor inserts date], an ordinance or resolution that regulates  
14 the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession,  
15 bearing, transportation, licensing, permitting, registration or taxation of any  
16 firearm and the ordinance or resolution is not the same as or similar to a state  
17 statute, the ordinance or resolution shall have no legal effect and the political  
18 subdivision may not enforce the ordinance or resolution on or after the effective date  
19 of this paragraph .... [revisor inserts date].

20 (5) A county ordinance that is enacted or a county resolution that is adopted  
21 by a county under sub. (2) or a county ordinance or resolution that remains in effect  
22 under sub. (4) (a) applies only in those towns in the county that have not enacted an  
23 ordinance or adopted a resolution under sub. (2) or that continue to enforce an

1 ordinance or resolution under sub. (4) (a), except that this subsection does not apply  
2 to a sales or use tax that is imposed under subch. V of ch. 77.

3 (END)