



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-0079/2  
CMH:kjf:jf

## 2015 ASSEMBLY BILL 46

February 17, 2015 – Introduced by Representatives KLEEFISCH, BALLWEG, BORN, BRANDTJEN, R. BROOKS, CZAJA, DANOU, DOYLE, EDMING, GANNON, HEATON, HUTTON, JACQUE, JARCHOW, JORGENSEN, KAPENGA, KERKMAN, KNODL, KRUG, T. LARSON, MACCO, MURPHY, MURSAU, MURTHA, NOVAK, J. OTT, PETERSEN, QUINN, RODRIGUEZ, ROHRKASTE, SANFELIPPO, SKOWRONSKI, SPIROS, STEFFEN, SWEARINGEN, THIESFELDT, TITTL, VORPAGEL, WEATHERSTON and YOUNG, cosponsored by Senators WANGGAARD, BEWLEY, FARROW, GUDEX, LEMAHIEU, MARKLEIN, MOULTON, PETROWSKI, ROTH, VINEHOUT and VUKMIR. Referred to Committee on State Affairs and Government Operations.

1     **AN ACT to amend** 948.605 (3) (b) 1., 948.605 (3) (b) 2. and 948.605 (3) (b) 3.; and  
2           **to create** 948.605 (1) (ag) and (ar), 948.605 (2) (b) 2d., 948.605 (2) (b) 2f. and  
3           2h. and 948.605 (3) (b) 5., 6. and 7. of the statutes; **relating to:** off-duty law  
4           enforcement officers and former law enforcement officers going armed with  
5           firearms on or near school grounds.

---

### *Analysis by the Legislative Reference Bureau*

Current law generally prohibits a person from possessing a firearm on the grounds of a school or within 1,000 feet of the grounds of a school. Current law exempts from this prohibition a law enforcement officer acting in his or her official capacity. This bill also exempts from this prohibition qualified law enforcement officers, without regard to whether they are on duty, and qualified former law enforcement officers to restore the law as it existed prior to 2011 Wisconsin Act 35, commonly known as the Concealed Carry Act.

---

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

6           **SECTION 1.** 948.605 (1) (ag) and (ar) of the statutes are created to read:  
7           948.605 (1) (ag) “Former officer” has the meaning given in s. 941.23 (1) (c).

**ASSEMBLY BILL 46**

1 (ar) "Qualified out-of-state law enforcement officer" has the meaning given in  
2 s. 941.23 (1) (g).

3 **SECTION 2.** 948.605 (2) (b) 2d. of the statutes is created to read:

4 948.605 (2) (b) 2d. A person who is employed in this state by a public agency  
5 as a law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3.  
6 applies.

7 **SECTION 3.** 948.605 (2) (b) 2f. and 2h. of the statutes are created to read:

8 948.605 (2) (b) 2f. A qualified out-of-state law enforcement officer to whom s.  
9 941.23 (2) (b) 1. to 3. applies.

10 2h. A former officer to whom s. 941.23 (2) (c) 1. to 7. applies.

11 **SECTION 4.** 948.605 (3) (b) 1. of the statutes is amended to read:

12 948.605 (3) (b) 1. On private property not part of school grounds;

13 **SECTION 5.** 948.605 (3) (b) 2. of the statutes is amended to read:

14 948.605 (3) (b) 2. As part of a program approved by a school in the school zone,  
15 by an individual who is participating in the program;

16 **SECTION 6.** 948.605 (3) (b) 3. of the statutes is amended to read:

17 948.605 (3) (b) 3. By an individual in accordance with a contract entered into  
18 between a school in a school zone and the individual or an employer of the individual;  
19 or,

20 **SECTION 7.** 948.605 (3) (b) 5., 6. and 7. of the statutes are created to read:

21 948.605 (3) (b) 5. By a person who is employed in this state by a public agency  
22 as a law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3.  
23 applies.

24 6. By a qualified out-of-state law enforcement officer to whom s. 941.23 (2) (b)  
25 1. to 3. applies.

