



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda JUDICIARY & LEGISLATION COMMITTEE

ALD. ASHANTI HAMILTON, CHAIR
Ald. Terry Witkowski, Vice-Chair
Ald. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert
Donovan
Staff Assistant, Joanna Polanco, 286-2366
Fax: 286-3456, jpolan@milwaukee.gov
Legislative Liaison, Richard Withers, 286-8532,
rwith@milwaukee.gov

Monday, May 16, 2011

1:30 PM

Room 301-B, City Hall

1. [110091](#) Appointment of Jeffery Roman to the Equal Rights Commission by the Mayor. (15th Aldermanic District)
Sponsors: THE CHAIR

2. [110047](#) Resolution relating to an appeal from Matt Coffaro for property damage. (9th Aldermanic District)
Sponsors: THE CHAIR

3. [110025](#) Resolution authorizing payment of the claim of Kathryn Gebhardt (f/k/a Kathryn Smith), in the amount of \$24,000.
Sponsors: THE CHAIR

4. [110024](#) Resolution authorizing payment of the claim of Kathleen Huber, in the amount of \$6,000.
Sponsors: THE CHAIR

5. [110044](#) Resolution authorizing payment of the claim of AT&T in the amount of \$30,000.
Sponsors: THE CHAIR

6. [110040](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 and 2010 tax rolls, plus interest applicable to date of repayment, if appropriate.
Sponsors: THE CHAIR

7. [110017](#) Substitute resolution authorizing the return of real estate located at 5014 N 55th Street, in the 7th Aldermanic District to its former owner. (Betty J. Hawkins)
Sponsors: THE CHAIR

8. [110062](#) Substitute resolution approving the establishment of election ward lines in the City of Milwaukee.

Sponsors: Ald. Hamilton

9. [110011](#) Communication from the Election Commission relating to the payment of poll workers.

Sponsors: THE CHAIR

---May be referred to the Finance and Personnel Committee.

10. [110046](#) Communication from the National League of Cities relating to the Open Society Institute's Black Male Achievement program.

Sponsors: Ald. Davis and Ald. Hamilton

11. [110116](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Sponsors: THE CHAIR

12. [110030](#) Communication from the City Attorney relating to semiannual reports as to the determination and disposition of all claims pending and closed and litigation matters closed through December 31, 2010.

Sponsors: THE CHAIR

13. [110081](#) Resolution directing the Intergovernmental Relations Division-Department of Administration to seek passage of state legislation changing food license expiration dates.

Sponsors: Ald. Bohl

14. [100991](#) A substitute ordinance relating to revision of various provisions for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

Sponsors: THE CHAIR

15. [101564](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

--- AB-7 Requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, absentee voting procedure in certain residential care apartment complexes and adult family homes, identification cards issued by the Department of Transportation, creating an identification certificate issued by the Department of Transportation, requiring the exercise of rule-making authority, and providing a penalty.

--- AB-92 Eliminating the enrollment cap for the Milwaukee Parental Choice Program and extending the program to permit private schools located in Milwaukee County to participate.

--- SB-90/ AB-126 Carrying a concealed weapon; licenses authorizing persons to carry concealed weapons; possessing or transporting a firearm, bow, or crossbow under certain circumstances; disorderly conduct limitations; photographic identification cards for former law enforcement officers; providing an exemption from emergency rule procedures; requiring the exercise of rule-making authority; making appropriations; and providing penalties. (License/Permit)

--- SB-93 Going armed with weapons, possessing or transporting a firearm, bow, or crossbow under certain circumstances, disorderly conduct limitations, and electric weapons. (Constitutional)

16. [101588](#) Resolution expressing the City of Milwaukee's support for the implementation of a high-speed rail system between the cities of Milwaukee and Chicago.
- Sponsors: Ald. Witkowski
- May be placed on file as no longer needed.

This meeting will be webcast live at www.milwaukee.gov/channel25.

Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.



Legislation Details (With Text)

File #: 110091 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Appointment of Jeffery Roman to the Equal Rights Commission by the Mayor. (15th Aldermanic District)

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, EQUAL RIGHTS COMMISSION

Attachments: Appointment Letter, Resume, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

110091

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Appointment of Jeffery Roman to the Equal Rights Commission by the Mayor. (15th Aldermanic District)

Drafter

Mayor

TB

5/3/11

May 3, 2011

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Jeffery K. Roman, 2139 North 34th Street, Milwaukee, Wisconsin 53208, to replace Genyne Edwards on the Equal Rights Commission. This appointment is pursuant to Section 109-5 of the Milwaukee Code of Ordinances. Mr. Roman's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

Tom Barrett
Mayor

Jeffery K. Roman

2139 North 34th Street – Milwaukee, Wisconsin 53208 – PH: (414) 793-3171 – EM: jefferyk.roman@yahoo.com

Professional Work Experience

January 2010 – Present

Mass Care Director, Southeastern Region

The American Red Cross in Southeastern Wisconsin

- Plan and coordinate staff and volunteer response to large scale/multi family disasters in Southeastern Wisconsin, including response/service delivery in Milwaukee, Racine, Kenosha, Waukesha, Ozaukee, Dodge and Walworth Cnt.
- Responsible for chapter wide response preparedness, planning and staffing for sheltering ops, mass feeding, material bulk distribution, welfare information and family reunification, disaster partner services, community programming and resource navigation, shelter facilities management and logistics operations for and during disaster operations.

September 2007 – Present

Planner, Milwaukee Development Group

- Provide community outreach and development, grant project coordination, partnership outreach and development services to and for community based coalitions, nonprofit organizations, and public service agencies.
- Services include social marketing development, community resource navigation, community planning, volunteer coordination, community organization/mobilization action planning and outreach strategy development, program design and implementation, organizational capacity building and impact infrastructure development.
- Coordinate and staff citywide and special cause initiatives and grant funded community coalitions and projects providing strategic direction, outreach and liaison services to resource partners and community stakeholders
- Partners and services provided for include Milwaukee Public Schools, Milwaukee Health Department, The City of Milwaukee, Medical College of Wisconsin, Milwaukee County UW Extension, and multiple area nonprofits, faith and community based organizations, and youth and human service agencies.

January 2005 – August 2007

Project Coordinator, Milwaukee County Community Health Project [Funded by USDHHS-ACF]

New Concept Self Development Center, Inc. – Milwaukee, Wisconsin

- Coordinated inter-agency community health and risk behavior prevention education programming and resource distribution for community-based coalitions partners and service organizations throughout Milwaukee County
- Directed planning and coordination of ongoing/annual community outreach events and awareness activities and year-round delivery and implementation of school and community based programming and summer youth camps, etc.
- Assisted Project Director with the marketing, training, implementation and monitoring of project goals and campaigns, curriculum implementation, program delivery, staff training and supervision and participant recruitment
- Created, published and distributed quarterly collaborative newsletter and supplemental resources for community and project stakeholders, community members and health care providers throughout Milwaukee County
- Worked with city/state health officers and staff to market programming and develop healthcare resources and access outreach plans to include outreach to healthcare providers, community volunteers, educators and organizers.

June 2001 – December 2004

Program Coordinator/Youth Development Specialist

Rosalie Manor Community & Family Services, Inc.

- Coordinated/facilitated program curriculum training for new staff and community partners serving as direct supervisor to program para-professionals, teen leadership development program and agency volunteers
- Assisted with program curriculum development/revision (including lesson plan and activity writing and underwriting, and ongoing editing, testing and evaluation of curriculum subject matter and lessons)
- Served as department Special Events Coordinator – lead planning, organizing and coordination of community activities and events including community rallies and marches, forum, parents meetings and community conferences.
- Assisted Youth and Family Services Directors with coordination of school-based and year round programming, coalition partner development and training, and implementation of services into new program sites and areas
- Spoke/presented workshops at state-wide and national trainings and conferences on topics such as community leadership, human growth and development and prevention programming in urban inner-city neighborhoods

Education, Training and Certifications

University of Wisconsin – Milwaukee

Undergraduate Study: Community Education, UW School of Education
Applied Professional Studies in Community Planning, Organizing and Leadership in Community Based Organizations, UWM School of Continuing Education

Milwaukee School of Languages

Full Spanish Immersion Program (K-Grade12)

Non-Profit Financial Management Certification Program Milwaukee Nonprofit Center	Completed December 2005
Youth Work Supervision Certification Program The Youth Work Learning Center at the Univ. of Wisconsin-Milwaukee	Completed May 2004
Youth Work Development Certification Program The Youth Work Learning Center at the Univ. of Wisconsin-Milwaukee	Completed November 2003
Youth Work Pre-Apprentice Mentor /Trainer Program The Youth Work Learning Center at the Univ. of Wisconsin-Milwaukee	Completed September 2003

Learned Professional Skills and Abilities (Demonstrated Examples Available)

- Bilingual: Proficient Spanish Speaking and Reading
 - Grant/Report Writing and Fund/Resource Development
 - Special Event/Conference Planning
 - Grant Project Coordination
 - Community Outreach/Outreach Marketing
 - Volunteer Planning/Organizing
 - Social Marketing Development
 - Corporate Document Preparation (Incorporation/Bylaws Development)
 - Community Organizing/Coalition Building
 - Program Planning and Development (Design & Implementation)
 - Curriculum Writing and Development
 - Public Speaking/Workshop Facilitation
-

Public Speaking/Workshop Facilitation Experience

Member & Annual Conference Workshop Presenter Wisconsin Association of Youth and Child Care Professionals Topic: Intergenerational/Intercultural Community Building – Community Dialogue and Action Planning	2005-2009
National Workshop Presenter National Clearinghouse on Youth & Families' National Youth Summit Topic: "Today's Youth, Tomorrow's Leaders"-Youth Leadership in Action	July 2004 Cleveland, Ohio
Regional Conference Speaker 2004 National African American Health Marriage Initiative Midwest Regional Conference, Chicago, Illinois Topic: Cultural Perspectives on Marriage and Communities, Perspective from a Young Adult Black Male	May 2004

Related Works and Professional Activities

Associate Organizer/Dialogue Facilitator Milwaukee Intergenerational/Intercultural Community Connection	January 2007 – 2010
Member and Community Outreach Liaison/Project Coordinator Milwaukee Alliance for Sexual Health (w/ MCH, MHD and DPH)	August 2006 – March 2008
Member and Annual Conference Resource Chair Metropolitan Milwaukee Alliance of Black School Educators	September 2004 – Present
Curriculum Implementation Trainer National Abstinence Education Program (OIC of America)	October 2003 – November 2004
Community Learning Center Assistant Director Washington High School w/ Rosalie Manor, Inc.	September 2003 – June 2004

Personal/Professional References

Janeen Boone, MS
Director of Programs
Agape Community Center
jboone@agape-center.org
(414) 464-4440 (office)

Saryea Murchison
Radio Personality/Program Director
WGLB AM1560 Radio-Mke
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Nuntiata Buck, MS
District Literacy Coordinator
Milwaukee Public Schools
bucknp@milwaukee.k12.wi.us
(414) 531-6233

Tracey Hagedorn
Project Coordinator
Milwaukee Health Department
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(414) 745-8186

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Lyn Hildenbrand
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& Center for Youth Engagement
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(414) 375-9166

Need more info/references? Look me up online!
www.facebook.com/jefferyk.roman
www.linkedin.com/jefferyk.roman

Additional references and contacts available upon request.

Professional Bio

Jeffery Roman, a native of Milwaukee, Wisconsin, has been involved in the nonprofit youth development and community services field since 1999, starting out as Teen Mentor with one of Milwaukee's leading social service agencies. An active youth and community advocate, leader and networker, and an educator at heart and by trade, he currently works with a broad spectrum of community-based organizations and public institutions working on program and curriculum development and community-based participatory research projects and initiatives in the areas of minority community development and public health and equity issues disproportionately affecting communities of color in and outside of Milwaukee. His primary service partners include the Milwaukee Health Department, Milwaukee Public Schools, the Medical College of Wisconsin and the Wisconsin Department of Health Services, Division of Public Health, along with a host of community partners and service agencies.

A self-starter and social-innovator, Jeffery established and is Principal of JKRoman Community Development, LLC, a community planning and investment firm working to develop community-led capacity and a visible infrastructure to face the many social issues affecting the most densely populated, poverty-stricken pockets of Milwaukee. JKRoman Community Development, LLC serves to be a catalyst for community issue organizing and action planning followed by aggressive mobilization on the part of residents taking, creating and sustaining community-driven strategies to improve the overall quality of life and health, and the wellbeing of all living in those communities. Other services provided through JKRoman Community Development, LLC include strategic and organizational planning and development for community-based organizations, nonprofit innovation and venture planning, issue social marketing and grant project coordination in the areas of youth and young adult development, community/minority health, resource collaboration and partnership development, community outreach strategy development and resource navigation. Currently, JKRoman Community Development, LLC is working on the development of a community-based pooled investment fund to acquire and renovate distressed and vacant real property and nuisance business venues in targeted Milwaukee areas. To cover more ground, Jeffery has gathered a group of like minded partners who share in his vision for community change and social transformation. Together, they are called the Milwaukee Development Group. As a collective, the Milwaukee Development Group works together to organize, coordinate, implement and resource a number of citywide community mobilization initiatives and partnerships which include the Milwaukee Community Health Collective, the City of Milwaukee's annual "Family Unity Day" celebration (annually the 2nd Thursday of October by mayoral decree), Milwaukee RETOC (a community targeted racial equity platform working with international think-tank, the Aspen Institute and similar outlets and partners in major cities across the US), and the Milwaukee Boys To Men Coalition, a collaborating group of African-American men, organizations and service providers brought together to focus on addressing the plight and development of young African-American boys and young adult males through support resources, population specific services and the planning and implementation of a citywide rites of passage program.

Through active community involvement, Jeffery has been honored to represent Milwaukee and Wisconsin on many occasions facilitating workshops and speaking at conferences locally and on both the state and national levels. Locally, he is a coordinating member of the state funded Milwaukee Brighter Futures Initiative and the Milwaukee Teen Pregnancy Prevention Network and serves as an active member of the Metro Milwaukee Alliance of Black School Educators and the city's Men's Health Resource Network.

Jeffery, the eldest of five boys, having had to play the role of big-brother and de facto man of the house, prides himself on the fact that all of his brothers, now all young adult black males, have completed high-school, are now either pursuing higher education (his twin working on a second Master's degree) and/or are chasing their dreams through a vast progression of professional career options. In addition, none have fathered children nor have been in trouble with the law, not an easy feat for young black men born and raised by a single mother in central city Milwaukee. Jeffery aspires to one day lead the revolution of change in and for his hometown "City of Festivals", making it a better place for all to live, work and play.



Legislation Details (With Text)

File #: 110047 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Matt Coffaro for property damage. (9th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
110047
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to an appeal from Matt Coffaro for property damage. (9th Aldermanic District)
Drafter
CC-CC
dkf
4/28/11

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City Attorney

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Assistant City Attorneys

March 30, 2011

Matt Coffaro
7025 North 89th Street
Milwaukee, WI 53224

RE: Matt Coffaro
C.I. File No.: 11-V-10


Dear Mr. Coffaro:

We have received your claim in the amount of \$1,844.00, relating to alleged damage to your driveway on November 3, 2010 when a City truck drove on it.

Our investigation reveals that the accident report completed as a result of this alleged incident noted the City vehicle likely would have knocked your mailbox down as well as doing the concrete damage. The concrete damage to the driveway also would have been more extensive as well. Since there is no evidence to support your belief that a City vehicle caused your loss, the City cannot accept liability and we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney



ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
1030-2011-288:167820

City Clerk,

I am writing you to request a hearing as instructed by the City Attorney's office regarding damage that was done to my driveway on November 3rd 2010 by a City of Milwaukee truck #25280. The City Attorneys office denied my claim saying that their "investigation" revealed that if the truck had driven on my driveway the damage would have been more extensive and they would have knocked down my mailbox as well.

This finding is not only ridiculous but it doesn't even make sense.

My daughter, startled by the noise the truck made, looked out of the window in time to see the driver get out look at the damage and then drive off.

Since I am not familiar with the procedure of these hearings please let me know if she will be given a chance to testify. If so she will have to take off of work just like I will to try to defend ourselves.

I'm including a copy of my claim and the response I received.

I will be awaiting your response.

Thank you,



Matt Coffaro
7025 N.89th St.
Milwaukee, WI
53224

April 15, 2011

CITY OF MILWAUKEE
2011 APR 19 AM 11:54
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
2011 APR 21 - PM 2:07
OFFICE OF
CITY ATTORNEY

January 25th, 2011

Dear City Clerk,

My address is 7025 N. 89th St. in the city of Milwaukee.

On Wednesday November 3rd 2010 at approximately 10:30 PM my daughter was startled by a very loud banging noise coming from the front of our house. She looked out the window in time to see a large city of Milwaukee truck (vehicle # 25280) backed up on to our driveway. Obviously realizing he had made a mistake, the driver got out to assess the damage but got back in the truck and drove off. I was out of town at the time. I returned home on Sunday the 7th and found that the city truck had put a crack in the bottom corner my driveway (see enclosed photo). There was also a baseball size chunk of the concrete chipped off but still laying there as evidence that the damage was fresh.

I called the city the next morning, Monday the 8th. I was told someone would get back to me. No one did so I called again the 15th still no response. I finally reached a city employee named Rick on November 29th. He sent me a form on December 1st with instructions for filing a claim against the city of Milwaukee.

The driveway is relatively new, there are no other cracks in it. The damage does not appear to be extensive however the contractors that gave me the required estimates said that after a few winters of freezing and thawing the entire corner below the crack will break away and crumble, leaving me with a hole. There is no way to fix it, the entire section must be replaced.

My house is located at the end of a cul-de-sac. It appeared as though the diver backed up into my driveway to turn around. This incident occurred during the season of leaf pick up. I assume the city was working late shifts to remove leaves before the snow season. I know the city had a job to do but the driver never should have driven a large heavy truck on my driveway causing the damage.

You will find the two estimates that the form asked for enclosed. I feel that I should be compensated for the entire amount of the damages sustained. I will look forward to hearing from you.

Thank you,



Matt Coffaro

7025 N. 89th St.

Milwaukee, WI 53224

Home phone – 414 358-3282

Work phone- 414 263-8614

RECEIVED
CITY OF MILWAUKEE
JAN 25 2011
M 2:00

2011 JAN 31 AM 7:27
OFFICE OF
CITY ATTORNEY
CITY OF MILWAUKEE
RECEIVED

OFFICE OF THE CITY CLERK
Milwaukee, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City, a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed on the reverse side of this instruction sheet. Generally, the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

(The above information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours.
3. As detailed a description of the incident as possible, including the date, time and place. Include the "City" vehicle #.

All information should be submitted to:

City Clerk
ATTN: CLAIMS
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.





DRIVEWAY
SARREST



**Edgar Prager
and Sons, Inc.**

Masonry and Concrete Contractor

303 Commerce Street,
Suite B
Waukesha, WI 53186

Tel: 262-542-7392
Fax: 262-542-7392

Proposal

Project: Coffaro Residence
7025 N. 89th Street
Milwaukee, WI

January 7, 2011

Attn: Matt,

We propose to furnish labor and materials necessary to complete the concrete work per discussion and pictures emailed. Work description, base bid and notes below.

Concrete Price Includes:

- Sawcutting, demo and haul away of existing slab 5'3" x 8' approx
- Setting up and pouring new concrete
- Doweling into existing slab 4' on center with #4 rebar
- Wire mesh
- Low chirt concrete
- Sealing of concrete

Concrete Price: \$1,844.00

Notes and Exclusions:

1. No winter conditions figured, work could not be done till April 1 (till temperatures stay above freezing)
2. Landscaping by other
3. Work figured getting demoing with loader
4. No flowline work figured

Sincerely
John Jacobi

Conditions:

1. Builders risk insurance supplied by owner.
2. Billing by 1st payment by 15th.
3. Bid good for 30 days.

“AS REQUIRED BY THE WISCONSIN CONSTRUCTION LIEN LAW, BUILDER HEREBY NOTIFIES OWNER THAT PERSONS OR COMPANIES FURNISHING LABOR OR MATERIALS FOR THE CONSTRUCTION ON OWNER’S LAND MAY HAVE LIEN RIGHTS ON OWNER’S LAND AND BUILDINGS IF NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO THE UNDERSIGNED BUILDER, ARE THOSE WHO CONTACT DIRECTLY WITH THE OWNER OR THOSE WHO GIVE THE OWNER NOTICE WITHING 60 DAYS AFTER THEY FIRST FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION. ACCORDINGLY, OWNER PROBABLY WILL RECEIVE NOTICES FROM THOSE WHO FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION, AND SHOULD GIVE A COPY OF EACH NOTICE RECEIVED TO THE MORTGAGE LENDER, IF ANY. BUILDER AGREES TO COOPERATE WITH THE OWNER AND THE OWNER’S LENDER, IF ANY, TO SEE THAT ALL POTENTIAL LIEN CLAIMANTS ARE DULY PAID”.

Acceptance of Proposal: The above price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as written above.

Date of Acceptance: _____

Signature: _____

Title: _____

PROPOSAL

Driveway Repair – 7025 North 89th Street

7 January, 2011

Matt Coffaro
7025 North 89th Street
Milwaukee, WI

BID: \$2250.00

We propose to supply all the labor and material necessary to complete . The following is included:

Concrete Replacement includes:

Sawcut and remove existing section of cracked slab. (5'-3" wide x 7'-3" to 9'-0" long)

Truck spoils off site

Dowel into existing slab at 48" o.c.

Form and Pour a 4" Concrete slab with 6x6-10/10 WWM

Concrete shall be standard 6 bag a/e.

Work to be done in spring or summer of 2011

EXCLUSIONS

- Handling and/or Disposing of Hazardous/Contaminated Materials
- Unforeseen Conditions
- Low chert concrete
- Landscape repair
- Any work needed to city curb and gutter
- Winter concrete charges

CLARIFICATIONS

- Work to be Done During Regular Business Hours
- Area will be Left Broom Cleaned

PREPARED BY

Marc Wisniewski, Project Manager
Moore Construction Services, LLC
Building Contractor Registration #1106821

ACCEPTED BY

(Company Name)



Legislation Details (With Text)

File #: 110025 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing payment of the claim of Kathryn Gebhardt (f/k/a Kathryn Smith), in the amount of \$24,000.

Sponsors: THE CHAIR

Indexes: CLAIMS PAYMENT

Attachments: Settlement Draft Request, Cover Letter, Fiscal Impact Statement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

110025

Version

ORIGINAL

Reference

890916

Sponsor

THE CHAIR

Title

Resolution authorizing payment of the claim of Kathryn Gebhardt (f/k/a Kathryn Smith), in the amount of \$24,000.

Analysis

This resolution authorizes payment of the claim of Kathryn Gebhardt in the amount of \$24,000.

Body

Whereas, The claimant, Kathryn Gebhardt (C.I. File No. 07-L-116), through her attorneys, Cermele & Associates, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on March 29, 2007, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle her claim in the amount of \$24,000; and

Whereas, Pursuant to Common Council Resolution File No. 890916, the City Attorney's Office retained the services of the law firm of Crivello, Carlson & Mentkowski, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and

Whereas, The law firm of Crivello, Carlson & Mentkowski, S.C., recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$24000.00, payable to Kathryn Gebhardt and Cermele & Associates, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2632, Sub Class No. S118; and, be it

Further Resolved, That the law firm of Crivello, Carlson & Mentkowski, S.C., shall upon payment to claimant obtain a release of claim and deliver the original release to the City Attorney.

Requestor

City Attorney

Drafter

Rudolph M. Konrad

RMK:lmb

04/26/2011

1032-2010-2564:168650

CITY OF MILWAUKEE

SETTLEMENT DRAFT REQUEST

Uninsured Motorist Claim Under Sec. 62.67 Stats.

CASE NAME: Kathryn Gebhardt (f/k/a Kathryn Smith)

DATE OF LOSS: March 29, 2007

C.I. FILE NO: 07-L-116

CC FILE NO: 0095-0800167

AMOUNT REQUESTED: \$24,000.00

PAYABLE TO: Kathryn Gebhardt and Cermele and Associates, S.C. – Trust Account

REASON FOR REQUEST:

Kathryn Gebhardt, a City of Milwaukee Police Officer was in the scope of her employment and operating a City of Milwaukee Police vehicle that was travelling southbound on South 43rd Street with emergency lights and siren activated. As the City vehicle entered the intersection of South 43rd Street and West Oklahoma Avenue, the uninsured motorist, who was proceeding eastbound on West Oklahoma Avenue, failed to yield the right way and collided with the City vehicle, causing the accident. As a result of the conduct of the uninsured motorist, there is liability on the City of Milwaukee pursuant to § 62.67 Stats., and the City of Milwaukee's Uninsured Motorist Self-Insurance plan.

Police Officer Gebhardt sustained injuries to her neck, face and head (concussion). The treating physician diagnosed Officer Gebhardt with post-concussion syndrome and indicated that the symptoms/headaches are permanent. The claimed medical expenses and lost wages total \$27,396.34.

DATED: 04/25/11

BY:



Nick G. Kotsonis

Crivello Carlson, S.C.

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



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ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

April 26, 2011

To the Honorable Common Council
of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Authorizing Payment of the Uninsured Motorist Claim
of Kathryn Gebhardt (f/k/a Kathryn Smith), C.I. File No. 07-L-116

Dear Council Members:

Enclosed is a resolution recommending settlement of the above-referenced claim, which we ask be introduced and referred to the Committee on Judiciary and Legislation for their recommendation.

Claimant, Kathryn Gebhardt, through her attorneys, Cermele and Associates, S.C., alleges that on March 29, 2007, while in the scope of her employment as a City of Milwaukee police officer, she was involved in a vehicle accident with an uninsured motorist, sustaining certain injuries and damages. The claimant has agreed to settle this claim for the amount of \$24,000.00.

Settlement of this claim is recommended based upon the reasons stated on the enclosed Settlement Draft Request from the law firm of Crivello, Carlson & Mentkowski, S.C. This firm has been retained to administer the City of Milwaukee's uninsured motorist self-insurance plan.

Very truly yours,

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

RMK:lmb
enclosures
1032-2010-2564:168649



City of Milwaukee Fiscal Impact Statement

A	Date <u>4/26/2011</u> File Number <u>110025</u> <input checked="" type="checkbox"/> Original <input type="checkbox"/> Substitute
	Subject <u>Resolution authorizing payment of the uninsured motorist claim of Kathryn Gebhardt</u>

B	Submitted By (Name/Title/Dept./Ext.) <u>Rudolph M. Konrad, Deputy City Attorney, X2601</u>
----------	---

C	This File <input checked="" type="checkbox"/> Increases or decreases previously authorized expenditures.
	<input type="checkbox"/> Suspends expenditure authority.
	<input type="checkbox"/> Increases or decreases city services.
	<input type="checkbox"/> Authorizes a department to administer a program affecting the city's fiscal liability.
	<input type="checkbox"/> Increases or decreases revenue.
	<input type="checkbox"/> Requests an amendment to the salary or positions ordinance.
	<input type="checkbox"/> Authorizes borrowing and related debt service.
	<input type="checkbox"/> Authorizes contingent borrowing (authority only).
	<input type="checkbox"/> Authorizes the expenditure of funds not authorized in adopted City Budget.

D	Charge To <input type="checkbox"/> Department Account <input type="checkbox"/> Contingent Fund
	<input type="checkbox"/> Capital Projects Fund <input checked="" type="checkbox"/> Special Purpose Accounts
	<input type="checkbox"/> Debt Service <input type="checkbox"/> Grant & Aid Accounts
	<input type="checkbox"/> Other (Specify) _____

E	Purpose	Specify Type/Use	Expenditure	Revenue
	Salaries/Wages		\$0.00	\$0.00
			\$0.00	\$0.00
	Supplies/Materials		\$0.00	\$0.00
			\$0.00	\$0.00
	Equipment		\$0.00	\$0.00
			\$0.00	\$0.00
	Services		\$0.00	\$0.00
			\$0.00	\$0.00
	Other	Uninsured motorist claim settlement	\$24,000.00	\$0.00
			\$0.00	\$0.00
	TOTALS		\$24,000.00	\$ 0.00

F

Assumptions used in arriving at fiscal estimate. _____

G

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

- | | | |
|------------------------------------|------------------------------------|-------|
| <input type="checkbox"/> 1-3 Years | <input type="checkbox"/> 3-5 Years | _____ |
| <input type="checkbox"/> 1-3 Years | <input type="checkbox"/> 3-5 Years | _____ |
| <input type="checkbox"/> 1-3 Years | <input type="checkbox"/> 3-5 Years | _____ |

H

List any costs not included in Sections D and E above. _____

I

Additional information. _____

J

This Note Was requested by committee chair.



Legislation Details (With Text)

File #: 110024 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing payment of the claim of Kathleen Huber, in the amount of \$6,000.

Sponsors: THE CHAIR

Indexes: CLAIMS PAYMENT

Attachments: Settlement Draft Request, Cover Letter, Fiscal Impact Statement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

110024

Version

ORIGINAL

Reference

890916

Sponsor

THE CHAIR

Title

Resolution authorizing payment of the claim of Kathleen Huber, in the amount of \$6,000.

Analysis

This resolution authorizes payment of the claim of Kathleen Huber in the amount of \$6,000.

Body

Whereas, The claimant, Kathleen Huber (C.I. File No. 07-L-116-1), through her attorneys, Cermele & Associates, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on March 29, 2007, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle her claim in the amount of \$6,000; and

Whereas, Pursuant to Common Council Resolution File No. 890916, the City Attorney's Office retained the services of the law firm of Crivello, Carlson & Mentkowski, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and

Whereas, The law firm of Crivello, Carlson & Mentkowski, S.C., recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$6,000.00, payable to Kathleen Huber and Cermele & Associates, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2632, Sub Class No. S118; and, be it

Further Resolved, That the law firm of Crivello, Carlson & Mentkowski, S.C., shall upon payment to claimant obtain a release of claim and deliver the original release to the City Attorney.

Requestor

City Attorney

Drafter

Rudolph M. Konrad

RMK:lmb

04/26/2011

1032-2007-3364:168646

CITY OF MILWAUKEE

SETTLEMENT DRAFT REQUEST

Uninsured Motorist Claim Under Sec. 62.67 Stats.

CASE NAME: Kathleen Huber DATE OF LOSS: March 29, 2007

C.I. FILE NO: 07-L-116-1 CC FILE NO: 0095-0800166

AMOUNT REQUESTED: \$6,000.00


PAYABLE TO: Kathleen Huber and Cermele and Associates, S.C. – Trust Account

REASON FOR REQUEST:

Kathleen Huber, a City of Milwaukee Police Officer, was in the scope of her employment and a passenger in a City of Milwaukee Police vehicle that was travelling southbound on South 43rd Street with emergency lights and siren activated. As the City vehicle entered the intersection of South 43rd Street and West Oklahoma Avenue, the uninsured motorist, who was proceeding eastbound on West Oklahoma Avenue, failed to yield the right away and collided with the City vehicle, causing the accident. As a result of the conduct of the uninsured motorist, there is liability on the City of Milwaukee pursuant to § 62.67 Stats., and the City of Milwaukee's Uninsured Motorist Self-Insurance plan.

Police Officer Huber sustained injuries to her right shoulder, neck and face/jaw. The claimed medical expenses and lost wages total \$13,362.87.

DATED: 04/25/11

BY: 
Nick G. Kotsonis
Crivello Carlson, S.C.

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
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DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

April 26, 2011

To the Honorable Common Council
of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Authorizing Payment of the Uninsured Motorist Claim
of Kathleen Huber, C.I. File No. 07-L-116-1

Dear Council Members:

Enclosed is a resolution recommending settlement of the above-referenced claim, which we ask be introduced and referred to the Committee on Judiciary and Legislation for their recommendation.

Claimant, Kathleen Huber, through her attorneys, Cermele and Associates, S.C., alleges that on March 29, 2007, while in the scope of her employment as a City of Milwaukee police officer, she was involved in a vehicle accident with an uninsured motorist, sustaining certain injuries and damages. The claimant has agreed to settle this claim for the amount of \$6,000.00.

Settlement of this claim is recommended based upon the reasons stated on the enclosed Settlement Draft Request from the law firm of Crivello, Carlson & Mentkowski, S.C. This firm has been retained to administer the City of Milwaukee's uninsured motorist self-insurance plan.

Very truly yours,

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

RMK:lmb
enclosures
1032-2007-3364:168645



City of Milwaukee Fiscal Impact Statement

A **Date** 4/26/2011 **File Number** 110024 **Original** **Substitute**
Subject Resolution authorizing payment of the uninsured motorist claim of Kathleen Huber

B **Submitted By (Name/Title/Dept./Ext.)** Rudolph M. Konrad, Deputy City Attorney, X2601

C **This File**

- Increases or decreases previously authorized expenditures.
- Suspends expenditure authority.
- Increases or decreases city services.
- Authorizes a department to administer a program affecting the city's fiscal liability.
- Increases or decreases revenue.
- Requests an amendment to the salary or positions ordinance.
- Authorizes borrowing and related debt service.
- Authorizes contingent borrowing (authority only).
- Authorizes the expenditure of funds not authorized in adopted City Budget.

D **Charge To**

- Department Account
- Capital Projects Fund
- Debt Service
- Other (Specify) _____
- Contingent Fund
- Special Purpose Accounts
- Grant & Aid Accounts

E

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages		\$0.00	\$0.00
		\$0.00	\$0.00
Supplies/Materials		\$0.00	\$0.00
		\$0.00	\$0.00
Equipment		\$0.00	\$0.00
		\$0.00	\$0.00
Services		\$0.00	\$0.00
		\$0.00	\$0.00
Other	Uninsured motorist claim settlement	\$6,000.00	\$0.00
		\$0.00	\$0.00
TOTALS		\$6,000.00	\$ 0.00

F

Assumptions used in arriving at fiscal estimate. _____

G

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

- | | | |
|------------------------------------|------------------------------------|-------|
| <input type="checkbox"/> 1-3 Years | <input type="checkbox"/> 3-5 Years | _____ |
| <input type="checkbox"/> 1-3 Years | <input type="checkbox"/> 3-5 Years | _____ |
| <input type="checkbox"/> 1-3 Years | <input type="checkbox"/> 3-5 Years | _____ |

H

List any costs not included in Sections D and E above. _____

I

Additional information. _____

J

This Note Was requested by committee chair.



Legislation Details (With Text)

File #: 110044 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing payment of the claim of AT&T in the amount of \$30,000.

Sponsors: THE CHAIR

Indexes: CLAIMS PAYMENT

Attachments: Cover Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
110044
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution authorizing payment of the claim of AT&T in the amount of \$30,000.

Analysis

This resolution authorizes payment of the claim of AT&T (25201008-50-0049), C.I. File No. 10-S-279 in the amount of \$30,000.

Body

Whereas, The claimant, AT&T (25201008-50-0049) has filed a claim against the City of Milwaukee in the amount of \$46,488.43; and

Whereas, The City has agreed to settle the claim in the amount of \$30,000; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that proper city officers be and hereby are authorized and directed to issue a City check in the amount of \$30,000.00, payable to the order of AT&T, Risk Management, 435 South 95th Street, Milwaukee, WI 53214, in full and final payment of this claim, upon receipt of a release of claim, approved as to form and execution by the City attorney; said amount to be charged to

Damages and Claims Account-636506 - Fund No. 0001 - Organization 1490 - Program 2631 - Sub Class S118.
Requestor
City Attorney
Drafter
JAS:ms
April 26, 2011
1029-2010-2369:168674

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
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DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

April 26, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of AT&T (25201008-50-0049)
C.I. File No. 10-S-279

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimant, AT&T, by its representative Debbie Griffiths, 435 South 95th Street, 1st Floor, Milwaukee, WI 53214 alleges that on/about August 6 - 9, 2010 they discovered that their underground cable at/near 845 North 2nd Street was damaged when the City of Milwaukee excavated. They claim damages in the amount of \$46,488.43.

Our investigation reveals that the Infrastructure Services Division records indicate that on July 30, 2010 Sewer Maintenance was excavating for a sewer repair at 823 North 2nd Street and damaged the claimant's cable. The cable was properly marked prior to the excavation. The claimant has agreed to accept a compromised settlement of \$30,000.00. Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2010-2369:168670



Legislation Details (With Text)

File #: 110040 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 and 2010 tax rolls, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Indexes: TAX CANCELLATIONS

Attachments: Cover Letter, Spreadsheet of Reductions.pdf, Claims Forms, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
110040
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 and 2010 tax rolls, plus interest applicable to date of repayment, if appropriate.

Analysis
This resolution requires the cancellation of taxes because of Board of Review reductions in assessments on certain parcels, the issuance of checks to the City Treasurer or taxpayer as applicable, and the proper reductions of State Tax Credits by journal entries.

Body
Whereas, Assessments were made against certain parcels of real estate for the years 2009 and 2010 as contained in Common Council Resolution File No. 110040, and

Whereas, The Board of Review has decreased these assessments as shown in this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue city checks in the amounts as shown in this file, payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate applicable pursuant to Section 70.511 of Wisconsin Statutes, for an appeal that was filed as shown in this file, applicable from date of payment to date of repayment, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account

006300, and said checks to be delivered to the Customer Services Unit of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as shown in this file by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That interest for Key No. 391-0101-000-0 shall be applicable from date of payment to March 31, 2010 for the year 2009, and, be it

Further Resolved, That delinquent interest and penalties on any account covered by this resolution are hereby canceled.

Requestor

Assessor's Office

Drafter

mpr/kat

4/27/2011

April 27, 2011

The Honorable, The Common Council
City of Milwaukee

Dear Members of the Common Council:

Attached is a resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 and 2010 tax rolls, plus interest applicable to date of repayment, if appropriate.

Reductions have been made in the assessments of these properties by the Board of Review under authority of Section 70.511 (2), Wisconsin Statutes. It is now necessary to accomplish the reduction of taxes by means of the attached resolution.

Your favorable approval of the attached resolution is respectfully requested.

Yours very truly,

Mary P. Reavey
Assessment Commissioner

mpr/kat

Key Number and Address Date of Objection	Name of Taxpayer	Assesment Reduction by B.O.R.	Canceled NET Total Tax	STATE TAX CREDITS SECTION 79.10 (2)		
				City Portion	County Portion	Total Credit
<u>2009</u>						
309-1201-000-3 3115 W. Fond du Lac Ave. May 18, 2009	Pearls One LLC	\$ 335,000	\$ 8,704.54	\$ 449.44	\$ 126.76	\$ 576.20
316-1038-100-9 2720 N. Frederick Ave. May 18, 2009	Northland Apartments Co. LLC	\$ 364,000	\$ 9,458.07	\$ 488.35	\$ 137.73	\$ 626.08
319-0914-100-4 2616 N. Frederick Ave. May 18, 2009	Northland Apartments Co. LLC	\$ 268,000	\$ 6,963.63	\$ 359.55	\$ 101.41	\$ 460.96
359-0806-111-8 1442 N. Farwell Ave. May 18, 2009	James C. Stephens	\$ 200,000	\$ 5,196.74	\$ 268.32	\$ 75.68	\$ 344.00
391-0101-000-0 900 W. Wisconsin Ave. May 18, 2009	Wisconsin Club	\$ 545,000	\$ 14,161.12	\$ 731.18	\$ 206.22	\$ 937.40
<u>2010</u>						
123-9988-130-5 4022-24 W. Vera Ave. May 17, 2010	A. Michael Adetoro	\$ 64,500	\$ 1,714.04	\$ 90.26	\$ 26.20	\$ 116.46
309-1201-000-3 3115 W. Fond du Lac Ave. May 14, 2010	Pearls One LLC	\$ 273,000	\$ 7,254.79	\$ 382.01	\$ 110.89	\$ 492.90

Key Number and Address Date of Objection	Name of Taxpayer	Assesment Reduction by B.O.R.	Canceled NET Total Tax	STATE TAX CREDITS SECTION 79.10 (2)		
				City Portion	County Portion	Total Credit
393-0345-110-6 929 N. Astor St. # 2101-0 May 17, 2010	Sheboygan County Broadcasting Co Inc.	\$ 25,000	\$ 664.36	\$ 34.98	\$ 10.16	\$ 45.14
		\$ 2,074,500	\$ 54,117.29	\$ 2,804.09	\$ 795.05	\$ 3,599.14
TOTAL GROSS	\$ 57,716.43					

Assessor's Office
April 27, 2011
mpr/kat

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **309-1201-000-3**
3115 W. Fond du Lac Ave.
Pearls One LLC

Year: 2009

Amount of Assessment Reduction: \$335,000


Amount of Tax Reduction: \$8,704.54

ASSESSOR'S OFFICE
CITY OF MILWAUKEE

2011 MAR 25 1 A 11: 38

RECEIVED

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed:  Daljit KLER (member)

Date: 03/25/11

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **316-1038-100-9**
2720 N. Frederick Ave.
Northland Apartments Company LLC

Year: 2009

Amount of Assessment Reduction: \$364,000

Amount of Tax Reduction: \$9,458.07

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Alan Mauritz

Date: 3-17-11

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

2011 MAR 24 AM 11:23

REC'D
CITY OF MILWAUKEE

Dear Members of the Common Council:

In re: **319-0914-100-4**
2616 N. Frederick Ave.
Northland Apartments Company LLC

Year: 2009

Amount of Assessment Reduction: \$268,000

Amount of Tax Reduction: \$6,963.63

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: *Alan Mauritz*

Date: 3-17-11

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

2011 MAR 24 AM 11:22

City of Milwaukee

ASSISTANT CITY CLERK

Dear Members of the Common Council:

In re: **359-0806-111-8**
1442 N. Farwell Ave.
James C. Stephens

Year: 2009

Amount of Assessment Reduction: \$200,000

Amount of Tax Reduction: \$5,196.74

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: _____

Date: _____ 3/17/11

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

2011 APR 14 AM 11:25

City of Milwaukee

CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK

Dear Members of the Common Council:

In re: **319-0101-000-0**
900 W. Wisconsin Ave.
Wisconsin Club

Year: 2009

Amount of Assessment Reduction: \$545,000

Amount of Tax Reduction: \$14,161.12

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed:  _____

Date: 3-24-11

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

2011 APR -1 11:17

CITY OF MILWAUKEE

Dear Members of the Common Council:

In re: **123-9988-130-5**
4022-24 W. Vera Ave.
A Michael Adetoro

Year: 2010

Amount of Assessment Reduction: \$64,500

Amount of Tax Reduction: \$1,714.04

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Abel M. Adetoro

Date: 3/31/11

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **309-1201-000-3**
3115 W. Fond du Lac Ave.
Pearls One LLC


Year: 2010

Amount of Assessment Reduction: \$273,000

Amount of Tax Reduction: \$7,254.79

RECEIVED
2011 MAR 25 11:38
ASSESSOR'S OFFICE
CITY OF MILWAUKEE

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed:  Daljit S. Kler (member)
Date: 03/25/11

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

2011 MAR 24 AM 11:22

ASS
CITY

Dear Members of the Common Council:

In re: **393-0345-110-6**
 929 N. Astor St. #2101
 Sheboygan County Broadcasting Co. Inc.

Year: 2010

Amount of Assessment Reduction: \$25,000

Amount of Tax Reduction: \$664.36

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Michael R. Walter

Date: March 20, 2011

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.



Legislation Details (With Text)

File #: 110017 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the return of real estate located at 5014 N 55th Street, in the 7th Aldermanic District to its former owner. (Betty J. Hawkins)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Application, Letter to Ald. Hamilton, Dept of City Development, Treasurer's Office, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/5/2011	1	CITY CLERK	DRAFT SUBMITTED		
5/11/2011	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

110017

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 5014 N 55th Street, in the 7th Aldermanic District to its former owner. (Betty J. Hawkins)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 5014 N 55th Street, previously owned by Betty J. Hawkins, has delinquent taxes for 210-0405-000-X and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated February 14, 2011; and

Whereas, CORELOGIC TAX SERVICES/GMAC on behalf of Betty J. Hawkins would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since February 14; and

Whereas, Betty J. Hawkins has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,

as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 5014 N 55th Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10-CV019424 known as the 2010-03 In Rem Parcel 6, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

jp

5/5/11

WAYNE F. WHITTOW
City Treasurer




James L. Hanna
Deputy City Treasurer

James F. Klajbor
Special Deputy City Treasurer

OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

April 19, 2011

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow 
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 210-0405-000-X
Address: 5014 N 55TH ST
Owner Name: BETTY J HAWKINS
Applicant/Requester: CORELOGIC TAX SERVICES/GMAC
2010-03 Inrem File
Parcel: 6
Case: 10-CV019424

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 2/14/2011.

WFW/slk

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. ~~Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.~~
5. Complete boxes a, b, c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 5014 n. 55th Street, Milwaukee, WI
 TAXKEY NUMBER 2100405000X
 NAME OF APPLICANT Corelogic Tax Services/BNAC clonoh
 MAILING ADDRESS 100 East Wisconsin Ave., Suite 2600 Fiedler
Milwaukee WI 53202 414-225-4805
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES _____ NO X
 If no, describe interest in this property Mortgage Holder

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (if not applicable, write NONE).

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASRUER'S OFFICE? (Documentation must be attached)

YES X NO _____

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES X NO _____

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE [Signature] DATE 4/13/11

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00 ✓
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 4/19/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 03
Taxkey Number: 210-0405-000 - 0 X
Property Address: 5014 5014 N 55TH ST
Owner Name BETTY J HAWKINS

Applicant: CORELOGIC TAX SERVICES/GMAC

Parcel Number: 6
CaseNumber: 10-CV019424



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner
Thomas G. Mishefske
Operations Manager

May 3, 2011

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 110017
Address 5014 N 55th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request. If the Common Council approves the return of the property, a Property Recording application will need to be filed at that time.

Sincerely,

Lynne Steffen
Business Operations Manager



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

May 4, 2011

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 110017
5014 North 55th Street

The Department of City Development reports that the tax foreclosed property located at 5014 North 55th Street, Tax Key No. 210-0405-000-X, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is vacant. Administrative costs incurred by our Department total \$559.95.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office

May 5, 2011

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 110017 Reopening and Vacating InRem Judgment
Tax Key No.: 210-0405-000-X
Address: 5014 N 55TH ST
Owner Name: BETTY J HAWKINS
Applicant/Requester: CORELOGIC TAX SRVS/GMAC
2010-03 in rem, Parcel: 6
Case: 10-CV019424, Acquired: 2/14/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN MAY	IF PAID BY JUNE 23, 2011
2007-2010	\$7,723.68	\$7,723.68
Interest	\$1,355.51	\$1,431.38
Penalty	\$677.74	\$715.70
TOTAL*	\$9,756.93	\$9,870.76

***The above figures may change prior to payment due to possible additional costs.**

WFW/slk



Legislation Details (With Text)

File #: 110062 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution approving the establishment of election ward lines in the City of Milwaukee.

Sponsors: THE CHAIR

Indexes: ELECTIONS, REDISTRICTING

Attachments: Proposed 2011 Voting Wards.pdf, Table_Demographics of 2011 LRB Proposed Voting Wards.pdf, Table_Summary of Voting Ward Changes.pdf, 2011 Blocks Assigned to Voting Wards.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
110062
Version
SUBSTITUTE 1
Reference

Sponsor
THE CHAIR
Title
Substitute resolution approving the establishment of election ward lines in the City of Milwaukee.

Analysis
This resolution approves the establishment of election ward lines in the City of Milwaukee based on 2010 U.S. census data.

Body
Whereas, Section 5.15, Wis. Stats., requires all cities, villages and towns with a population of 1,000 or more to establish municipal wards based on the results of each decennial U.S. census; and

Whereas, Once established, wards are intended to remain as permanent as possible, although municipalities are given latitude to adjust ward boundaries to: 1) comply with population ranges required by law; 2) reflect changes in municipal boundaries which occurred after the adoption of the existing ward plan; 3) permit the establishment of election districts of substantially equal population; and 4) permit the establishment of aldermanic or supervisory districts which enhance the participation of minorities in the political process and their ability to elect representatives; and

Whereas, Based on population changes between 2000 and 2010, the City of Milwaukee, in compliance with the requirements of s. 5.15, Wis. Stats., has developed a ward plan, including a map of the city showing revised ward boundaries as well as a list of census block numbers contained

within each ward, that allows for the creation of aldermanic districts that are as nearly equal in population as practicable and which enhance the participation of the minority community in the political process; now, therefore, be it

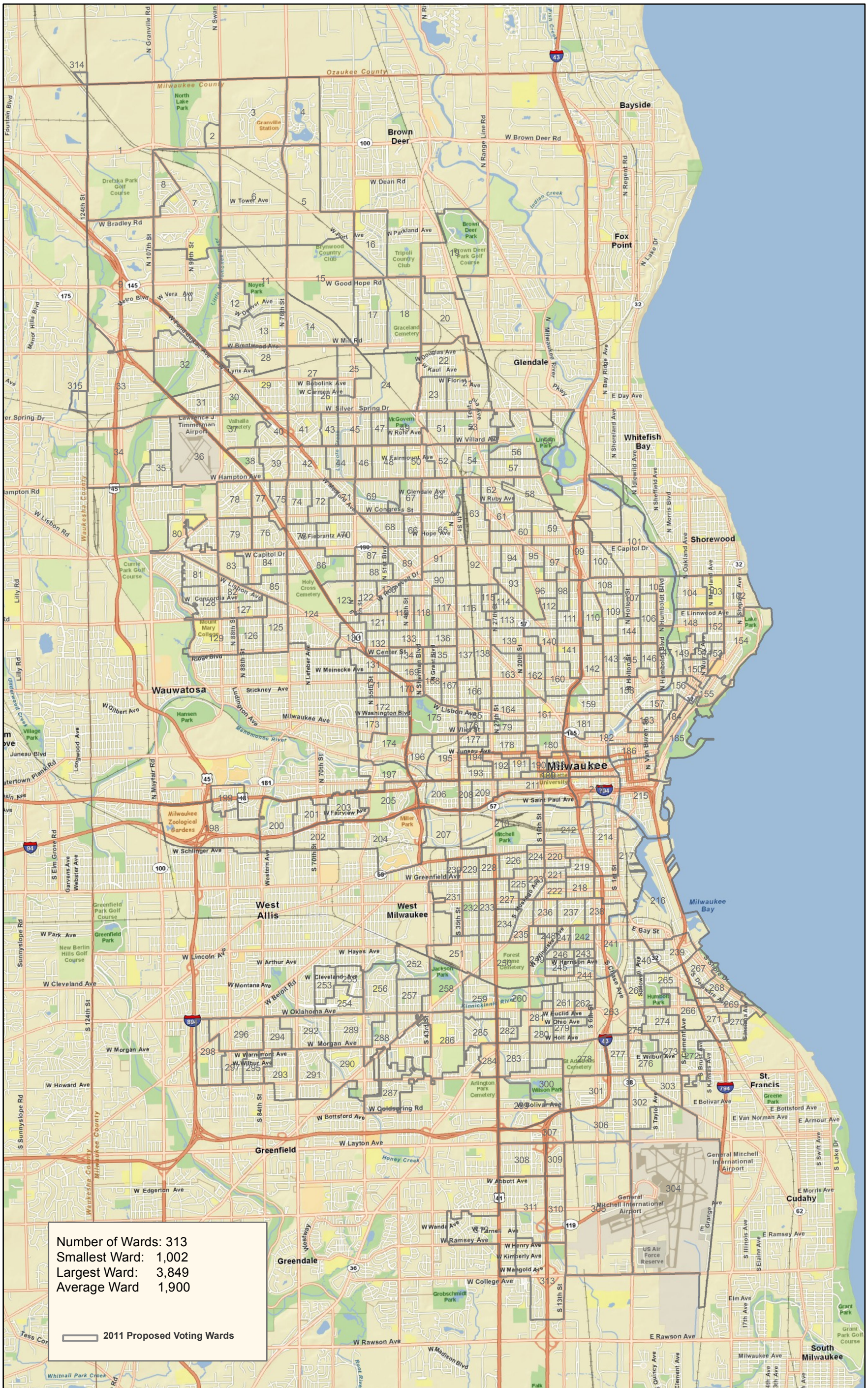
Resolved, By the Common Council of the City of Milwaukee, that a City of Milwaukee ward plan is approved, pursuant to s. 5.15, Wis. Stats., and that in compliance with s.5.15, Wis. Stats., the following are attached to and incorporated as part of this file: 1) all wards numbered in whole numbers in consecutive order beginning with the number one; 2) designation of polling places for the wards; 3) the boundaries for each ward specified pursuant to the conventions of s. 4.003, Wis. Stats.; which are incorporated into 4) a map of the City of Milwaukee which illustrates the ward boundaries; 5) a list of the block numbers used by the U.S. Bureau of the Census that are wholly or partly contained in each ward; and, be it

Further Resolved, That as required by s. 5.15, Wis. Stats., the City Clerk shall transmit a copy of this resolution to the county clerks of Milwaukee, Washington and Waukesha counties, and to the State Legislative Reference Bureau, together with items #4 and #5 specified in the "Resolved" clause, within 5 days after adoption of this resolution.

Requestor

Drafter
LRB127615-2
Richard Pfaff
5/09/2011

City of Milwaukee 2011 Redistricting LRB Proposed Voting Ward



City of Milwaukee Voting Age Populations by 2011 LRB Proposed Voting Wards.

Voting Ward	Total Population	Voting Age								
		Population	White	Hispanic	Black	Asian	American Indian	Pacific Island	Other Race	Multiple Race
Milwaukee - C 1	3,808	2,604	860	426	1,158	124	12	1	5	18
Milwaukee - C 2	1,642	862	116	100	624	7	1	0	1	13
Milwaukee - C 3	2,388	1,717	720	54	876	53	7	0	0	7
Milwaukee - C 4	2,434	1,787	547	50	1,080	78	6	2	4	20
Milwaukee - C 5	3,033	2,361	807	54	1,451	25	6	1	0	17
Milwaukee - C 6	1,774	1,366	420	37	870	21	9	0	4	5
Milwaukee - C 7	3,703	2,593	1,120	62	1,194	172	20	6	3	16
Milwaukee - C 8	1,574	1,042	512	72	413	21	18	0	2	4
Milwaukee - C 9	1,679	1,103	350	53	653	37	3	3	0	4
Milwaukee - C 10	2,151	1,644	706	50	795	64	10	2	0	17
Milwaukee - C 11	1,983	1,338	414	44	772	84	13	2	3	6
Milwaukee - C 12	1,321	1,002	591	31	289	77	7	0	3	4
Milwaukee - C 13	2,944	2,147	784	78	1,083	187	8	0	0	7
Milwaukee - C 14	2,265	1,441	372	29	808	213	5	0	0	14
Milwaukee - C 15	1,027	773	286	15	402	58	3	1	1	7
Milwaukee - C 16	1,285	988	619	26	289	37	12	1	1	3
Milwaukee - C 17	3,305	2,313	582	69	1,526	95	15	0	5	21
Milwaukee - C 18	1,268	909	365	37	441	45	7	0	2	12
Milwaukee - C 19	2,069	1,388	405	41	900	31	4	0	0	7
Milwaukee - C 20	1,955	1,119	258	22	803	15	7	2	0	12
Milwaukee - C 21	2,334	1,587	358	55	1,134	22	9	0	2	7
Milwaukee - C 22	2,070	1,333	180	28	1,102	5	5	0	0	13
Milwaukee - C 23	2,010	1,319	283	42	948	19	14	0	2	11
Milwaukee - C 24	1,182	734	123	23	502	69	6	2	0	9
Milwaukee - C 25	1,803	1,008	52	5	678	268	1	0	1	3
Milwaukee - C 26	2,071	1,305	238	55	889	104	8	0	3	8
Milwaukee - C 27	1,662	1,122	266	29	712	107	3	0	0	5
Milwaukee - C 28	2,244	1,369	225	34	823	275	4	0	0	8
Milwaukee - C 29	2,372	1,572	335	52	866	302	7	0	0	10

Voting Ward	Total Population	Voting Age								
		Population	White	Hispanic	Black	Asian	American Indian	Pacific Island	Other Race	Multiple Race
Milwaukee - C 30	1,152	750	155	22	498	71	2	0	0	2
Milwaukee - C 31	2,115	1,244	255	42	873	55	6	1	1	11
Milwaukee - C 32	3,351	2,166	599	81	1,365	92	6	3	1	19
Milwaukee - C 33	3,334	2,443	1,692	68	598	49	24	2	0	10
Milwaukee - C 34	2,631	1,910	873	108	817	72	18	1	6	15
Milwaukee - C 35	2,067	1,440	825	57	485	44	13	4	1	11
Milwaukee - C 36	1,759	1,165	297	18	749	89	2	0	3	7
Milwaukee - C 37	2,724	1,721	323	53	1,273	40	17	1	0	14
Milwaukee - C 38	1,517	977	194	33	724	10	10	0	1	5
Milwaukee - C 39	1,590	1,086	447	25	529	70	6	2	2	5
Milwaukee - C 40	1,898	1,205	246	42	857	42	5	0	4	9
Milwaukee - C 41	1,602	1,139	299	41	756	34	1	0	1	7
Milwaukee - C 42	1,870	1,340	338	50	870	64	9	0	2	7
Milwaukee - C 43	1,551	848	100	17	703	19	3	0	0	6
Milwaukee - C 44	1,912	1,301	288	56	890	52	5	0	0	10
Milwaukee - C 45	2,488	1,567	259	50	1,133	93	15	0	3	14
Milwaukee - C 46	1,234	794	106	43	611	27	3	0	1	3
Milwaukee - C 47	1,030	740	183	24	494	33	4	0	0	2
Milwaukee - C 48	2,326	1,549	242	58	1,186	43	5	1	3	11
Milwaukee - C 49	1,364	914	140	38	725	1	6	0	0	4
Milwaukee - C 50	1,351	903	97	31	752	12	7	1	1	2
Milwaukee - C 51	2,089	1,440	181	44	1,192	1	9	1	4	8
Milwaukee - C 52	1,657	1,063	67	31	950	0	5	4	1	5
Milwaukee - C 53	1,735	1,260	143	39	1,049	10	7	1	0	11
Milwaukee - C 54	1,047	732	61	18	641	8	0	0	0	4
Milwaukee - C 55	1,546	1,083	470	52	539	9	7	0	3	3
Milwaukee - C 56	1,428	964	35	18	900	1	2	0	1	7
Milwaukee - C 57	1,957	1,372	60	34	1,265	2	4	1	0	6
Milwaukee - C 58	1,373	989	55	22	899	5	1	0	1	6
Milwaukee - C 59	2,412	1,794	38	35	1,712	1	2	0	1	5

Voting Ward	Total Population	Voting Age								
		Population	White	Hispanic	Black	Asian	American Indian	Pacific Island	Other Race	Multiple Race
Milwaukee - C 60	1,908	1,363	37	19	1,283	3	4	0	0	17
Milwaukee - C 61	1,656	1,165	31	21	1,099	0	3	0	1	10
Milwaukee - C 62	1,638	1,113	42	18	1,038	1	3	0	0	11
Milwaukee - C 63	1,560	1,051	26	15	989	10	0	0	2	9
Milwaukee - C 64	3,101	2,005	162	49	1,759	14	7	0	3	11
Milwaukee - C 65	2,091	1,431	89	30	1,295	10	4	0	0	3
Milwaukee - C 66	1,534	910	28	11	852	3	3	0	0	13
Milwaukee - C 67	1,395	924	116	25	766	10	2	1	0	4
Milwaukee - C 68	1,872	1,295	174	31	1,056	17	5	0	2	10
Milwaukee - C 69	2,369	1,619	236	66	1,198	99	17	0	0	3
Milwaukee - C 70	2,376	1,640	224	66	1,276	47	6	0	4	17
Milwaukee - C 71	1,408	963	146	21	711	78	5	0	0	2
Milwaukee - C 72	1,941	1,298	234	31	904	112	4	1	0	12
Milwaukee - C 73	1,236	879	182	37	605	46	4	1	0	4
Milwaukee - C 74	2,073	1,469	328	41	938	149	6	0	1	6
Milwaukee - C 75	1,488	1,000	247	25	654	58	9	0	4	3
Milwaukee - C 76	1,309	955	455	17	417	38	10	3	6	9
Milwaukee - C 77	1,400	1,000	345	30	531	86	5	0	0	3
Milwaukee - C 78	2,437	1,619	500	51	977	62	12	1	0	16
Milwaukee - C 79	2,227	1,589	643	60	820	39	17	0	2	8
Milwaukee - C 80	2,298	1,801	1,045	42	611	68	18	2	3	12
Milwaukee - C 81	1,352	1,028	862	33	105	20	7	1	0	0
Milwaukee - C 82	1,181	902	738	49	78	28	5	0	1	3
Milwaukee - C 83	1,223	1,012	787	23	162	26	7	0	2	5
Milwaukee - C 84	1,786	1,341	774	50	433	69	8	0	3	4
Milwaukee - C 85	1,270	957	628	31	259	14	11	1	4	9
Milwaukee - C 86	2,632	1,912	496	68	1,295	30	6	1	5	11
Milwaukee - C 87	1,060	778	101	16	639	8	3	0	4	7
Milwaukee - C 88	1,396	969	203	20	721	13	4	0	2	6
Milwaukee - C 89	2,012	1,462	123	37	1,282	5	2	0	1	12

Voting Ward	Total Population	Voting Age								
		Population	White	Hispanic	Black	Asian	American Indian	Pacific Island	Other Race	Multiple Race
Milwaukee - C 90	2,162	1,520	121	29	1,342	2	7	1	1	17
Milwaukee - C 91	1,891	1,333	63	24	1,214	13	3	0	0	16
Milwaukee - C 92	1,659	1,162	24	28	1,099	1	3	0	1	6
Milwaukee - C 93	2,154	1,438	15	15	1,390	3	4	1	0	10
Milwaukee - C 94	1,561	1,105	26	14	1,050	4	1	0	0	10
Milwaukee - C 95	1,223	875	12	14	828	4	8	0	1	8
Milwaukee - C 96	1,767	1,199	13	17	1,144	4	1	1	0	19
Milwaukee - C 97	2,188	1,542	19	26	1,471	13	0	0	2	11
Milwaukee - C 98	1,552	1,015	12	26	967	0	2	0	0	8
Milwaukee - C 99	1,566	1,104	49	28	1,009	14	2	0	0	2
Milwaukee - C 100	1,810	1,218	32	48	1,127	2	4	0	3	2
Milwaukee - C 101	1,523	1,365	627	54	594	79	3	0	2	6
Milwaukee - C 102	1,735	1,431	1,301	61	32	26	6	1	1	3
Milwaukee - C 103	2,784	2,763	2,437	96	122	67	15	1	22	3
Milwaukee - C 104	2,381	2,254	1,994	64	55	116	15	1	4	5
Milwaukee - C 105	2,039	1,736	1,196	144	349	25	17	0	0	5
Milwaukee - C 106	2,388	2,083	1,642	175	184	33	21	1	6	21
Milwaukee - C 107	2,332	1,588	484	279	769	7	28	0	8	13
Milwaukee - C 108	1,845	1,170	96	66	987	4	9	0	3	5
Milwaukee - C 109	2,071	1,334	80	83	1,145	1	5	1	3	16
Milwaukee - C 110	1,841	1,191	12	34	1,124	3	3	0	0	15
Milwaukee - C 111	1,594	1,030	24	17	985	0	0	0	0	4
Milwaukee - C 112	1,937	1,261	8	19	1,214	0	5	0	2	13
Milwaukee - C 113	1,988	1,251	26	11	1,190	10	6	0	2	6
Milwaukee - C 114	1,381	877	13	21	828	5	6	0	0	4
Milwaukee - C 115	1,295	831	11	22	783	7	2	0	0	6
Milwaukee - C 116	1,583	989	26	17	918	14	3	0	0	11
Milwaukee - C 117	2,929	1,949	72	54	1,776	21	6	0	1	19
Milwaukee - C 118	1,427	940	71	21	841	2	0	0	1	4
Milwaukee - C 119	2,279	1,572	271	43	1,217	21	9	0	0	11

Voting Ward	Total Population	Voting Age								
		Population	White	Hispanic	Black	Asian	American Indian	Pacific Island	Other Race	Multiple Race
Milwaukee - C 120	1,271	875	379	30	447	7	2	0	3	7
Milwaukee - C 121	1,086	759	163	29	543	10	4	0	3	7
Milwaukee - C 122	1,811	1,300	418	43	803	14	6	0	3	13
Milwaukee - C 123	1,293	979	186	39	706	31	4	0	0	13
Milwaukee - C 124	3,455	2,562	1,721	91	688	28	16	2	2	14
Milwaukee - C 125	2,259	1,742	1,376	53	266	19	14	2	5	7
Milwaukee - C 126	1,384	1,110	961	17	87	33	7	1	2	2
Milwaukee - C 127	1,201	924	784	37	78	19	3	0	1	2
Milwaukee - C 128	1,539	1,171	1,042	31	66	24	8	0	0	0
Milwaukee - C 129	1,532	1,215	1,059	37	73	26	11	4	0	5
Milwaukee - C 130	1,775	1,292	455	63	729	36	4	0	2	3
Milwaukee - C 131	1,852	1,296	562	80	588	37	16	2	2	9
Milwaukee - C 132	1,819	1,205	196	43	915	35	6	0	1	9
Milwaukee - C 133	2,243	1,412	127	33	1,220	24	3	0	2	3
Milwaukee - C 134	1,791	1,066	94	30	914	12	5	2	1	8
Milwaukee - C 135	1,711	1,040	53	24	940	8	3	0	0	12
Milwaukee - C 136	1,681	1,055	63	23	950	8	6	0	0	5
Milwaukee - C 137	1,433	870	19	35	796	11	4	1	2	2
Milwaukee - C 138	1,415	947	54	15	868	1	2	1	0	6
Milwaukee - C 139	2,646	1,606	18	23	1,544	3	4	0	1	13
Milwaukee - C 140	1,460	938	13	15	890	7	5	0	0	8
Milwaukee - C 141	1,777	1,063	17	25	991	14	3	0	1	12
Milwaukee - C 142	1,431	974	34	31	874	9	8	0	0	18
Milwaukee - C 143	1,476	962	68	32	838	2	6	1	1	14
Milwaukee - C 144	1,925	1,356	397	246	676	10	12	0	0	15
Milwaukee - C 145	2,109	1,502	526	254	681	13	6	0	4	18
Milwaukee - C 146	1,876	1,666	1,250	148	211	25	18	0	4	10
Milwaukee - C 147	1,190	1,104	903	57	94	31	6	0	7	6
Milwaukee - C 148	2,886	2,759	2,514	83	70	72	12	2	2	4
Milwaukee - C 149	1,507	1,450	1,253	49	70	63	6	0	3	6

Voting Ward	Total Population	Voting Age								
		Population	White	Hispanic	Black	Asian	American Indian	Pacific Island	Other Race	Multiple Race
Milwaukee - C 150	1,657	1,599	1,312	70	94	97	13	2	5	6
Milwaukee - C 151	1,746	1,682	1,400	49	74	142	8	3	1	5
Milwaukee - C 152	1,780	1,580	1,448	38	38	47	3	0	3	3
Milwaukee - C 153	1,455	1,424	1,291	33	51	41	3	1	0	4
Milwaukee - C 154	2,251	2,013	1,888	28	45	45	2	0	2	3
Milwaukee - C 155	1,616	1,556	1,293	51	123	79	5	0	3	2
Milwaukee - C 156	2,522	2,406	1,882	101	316	63	22	5	6	11
Milwaukee - C 157	2,350	2,215	1,779	107	231	65	19	2	7	5
Milwaukee - C 158	2,896	2,418	1,644	181	491	85	12	0	3	2
Milwaukee - C 159	1,002	726	216	18	475	11	2	0	1	3
Milwaukee - C 160	1,107	707	15	17	666	1	4	0	0	4
Milwaukee - C 161	2,318	1,486	55	29	1,304	81	0	0	1	16
Milwaukee - C 162	1,660	1,060	21	34	987	9	3	0	2	4
Milwaukee - C 163	2,403	1,505	36	36	1,393	17	13	1	0	9
Milwaukee - C 164	1,606	1,082	35	63	909	65	1	0	2	7
Milwaukee - C 165	1,605	898	61	15	442	364	4	0	3	9
Milwaukee - C 166	1,784	1,090	62	40	830	143	5	0	0	10
Milwaukee - C 167	1,705	951	24	27	857	30	2	0	4	7
Milwaukee - C 168	2,253	1,287	56	39	1,150	27	3	0	3	9
Milwaukee - C 169	1,509	945	109	50	735	34	6	0	1	10
Milwaukee - C 170	1,563	1,009	227	31	706	31	6	0	0	8
Milwaukee - C 171	2,099	1,543	957	81	456	25	11	0	5	8
Milwaukee - C 172	2,450	1,848	1,457	85	240	45	17	0	0	4
Milwaukee - C 173	1,360	1,077	885	41	123	19	7	0	1	1
Milwaukee - C 174	1,678	1,323	985	65	229	19	16	1	6	2
Milwaukee - C 175	1,866	1,025	75	52	750	132	4	0	0	12
Milwaukee - C 176	1,018	559	18	28	155	349	3	0	0	6
Milwaukee - C 177	1,019	685	155	41	441	40	1	0	3	4
Milwaukee - C 178	2,263	1,450	165	119	910	227	5	0	4	20
Milwaukee - C 179	1,541	940	58	91	648	119	4	0	1	19

Voting Ward	Total Population	Voting Age								
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Milwaukee - C 180	1,225	941	142	37	723	29	2	0	1	7
Milwaukee - C 181	1,754	1,178	103	61	998	6	5	1	1	3
Milwaukee - C 182	2,969	2,893	2,302	96	340	118	22	0	2	13
Milwaukee - C 183	2,657	2,532	2,115	124	147	111	25	5	3	2
Milwaukee - C 184	2,488	2,428	1,984	97	208	116	19	2	0	2
Milwaukee - C 185	2,172	2,129	1,800	61	98	158	4	2	2	4
Milwaukee - C 186	3,763	3,687	3,007	143	126	366	18	1	7	19
Milwaukee - C 187	2,826	2,769	1,192	128	1,347	54	26	2	3	17
Milwaukee - C 188	2,533	2,516	2,036	116	170	184	6	2	1	1
Milwaukee - C 189	2,585	2,569	2,100	133	123	205	4	2	0	2
Milwaukee - C 190	2,954	2,608	1,855	132	487	107	11	2	8	6
Milwaukee - C 191	1,356	1,200	500	73	533	67	9	3	2	13
Milwaukee - C 192	1,454	1,109	176	71	821	22	8	0	4	7
Milwaukee - C 193	2,218	1,750	311	164	1,233	3	24	0	3	12
Milwaukee - C 194	1,599	1,349	252	86	970	12	20	0	0	9
Milwaukee - C 195	1,122	800	131	51	555	50	4	0	1	8
Milwaukee - C 196	1,669	1,245	546	100	453	103	23	0	2	18
Milwaukee - C 197	1,064	893	711	51	85	35	4	1	2	4
Milwaukee - C 198	1,616	1,241	973	108	78	71	6	0	4	1
Milwaukee - C 199	1,342	1,215	1,072	44	38	53	6	0	0	2
Milwaukee - C 200	1,277	1,064	968	52	24	9	11	0	0	0
Milwaukee - C 201	1,415	1,152	995	74	56	17	7	1	0	2
Milwaukee - C 202	1,869	1,429	1,100	184	79	25	37	0	0	4
Milwaukee - C 203	1,367	1,107	921	76	62	27	14	0	4	3
Milwaukee - C 204	2,228	1,799	1,310	205	225	26	26	1	2	4
Milwaukee - C 205	1,190	937	837	34	39	11	7	1	3	5
Milwaukee - C 206	1,120	806	419	105	195	64	17	2	1	3
Milwaukee - C 207	1,592	1,035	301	539	99	55	35	0	3	3
Milwaukee - C 208	1,060	775	86	93	500	73	13	0	0	10
Milwaukee - C 209	1,857	1,357	186	214	835	84	11	2	0	25

Voting Ward	Total Population	Voting Age								
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Milwaukee - C 210	2,671	2,025	601	880	399	105	32	0	0	8
Milwaukee - C 211	1,189	1,092	636	88	247	100	8	3	3	7
Milwaukee - C 212	1,290	852	147	604	82	4	9	0	4	2
Milwaukee - C 213	1,006	966	673	68	182	34	7	0	1	1
Milwaukee - C 214	1,941	1,680	1,070	417	136	30	20	1	3	3
Milwaukee - C 215	2,696	2,630	2,269	85	149	109	6	1	2	9
Milwaukee - C 216	1,704	1,459	1,152	209	53	22	20	0	0	3
Milwaukee - C 217	2,262	1,520	309	959	203	13	29	0	1	6
Milwaukee - C 218	3,033	1,992	268	1,465	202	24	20	5	3	5
Milwaukee - C 219	2,263	1,528	215	1,131	124	40	14	0	0	4
Milwaukee - C 220	2,063	1,364	157	1,020	140	24	18	1	3	1
Milwaukee - C 221	1,860	1,190	112	927	118	13	15	1	0	4
Milwaukee - C 222	1,991	1,242	142	933	112	39	8	1	4	3
Milwaukee - C 223	2,118	1,337	215	969	112	30	7	0	1	3
Milwaukee - C 224	1,511	1,042	189	689	128	26	7	1	0	2
Milwaukee - C 225	2,704	1,645	285	1,115	189	28	26	1	1	0
Milwaukee - C 226	2,820	1,782	297	1,199	188	57	21	2	4	14
Milwaukee - C 227	2,963	1,919	398	1,283	128	67	39	1	0	3
Milwaukee - C 228	2,047	1,367	332	896	34	85	16	0	0	4
Milwaukee - C 229	2,306	1,464	366	929	79	61	25	0	1	3
Milwaukee - C 230	1,493	997	246	602	69	43	30	0	0	7
Milwaukee - C 231	2,451	1,618	465	993	50	82	25	0	2	1
Milwaukee - C 232	3,350	2,079	488	1,413	58	87	25	0	2	6
Milwaukee - C 233	3,772	2,532	838	1,399	143	110	38	0	2	2
Milwaukee - C 234	3,194	2,068	474	1,431	77	34	48	0	3	1
Milwaukee - C 235	3,353	2,134	491	1,436	131	34	33	0	4	5
Milwaukee - C 236	3,034	1,944	328	1,364	179	41	26	0	2	4
Milwaukee - C 237	2,831	1,742	286	1,259	154	22	17	0	0	4
Milwaukee - C 238	2,296	1,506	276	1,038	131	17	32	0	8	4
Milwaukee - C 239	1,316	1,132	987	75	33	10	24	1	1	1

Voting Ward	Total Population	Voting Age								
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Milwaukee - C 240	2,160	1,773	1,314	264	104	47	29	2	3	10
Milwaukee - C 241	2,728	1,807	792	801	137	24	37	7	1	8
Milwaukee - C 242	1,749	1,105	264	745	54	28	13	0	0	1
Milwaukee - C 243	1,476	893	168	623	51	32	17	0	0	2
Milwaukee - C 244	3,278	2,120	560	1,367	134	15	39	0	1	4
Milwaukee - C 245	2,347	1,514	372	1,026	70	16	26	1	0	3
Milwaukee - C 246	1,325	807	138	560	68	11	20	0	4	6
Milwaukee - C 247	1,407	911	174	634	61	18	21	0	1	2
Milwaukee - C 248	1,946	1,222	243	869	78	9	16	0	2	5
Milwaukee - C 249	3,849	2,414	532	1,638	159	49	33	2	0	1
Milwaukee - C 250	3,119	2,005	627	1,223	69	46	33	1	1	5
Milwaukee - C 251	1,912	1,273	446	748	41	9	23	0	2	4
Milwaukee - C 252	1,402	1,061	715	214	92	22	16	1	0	1
Milwaukee - C 253	1,322	1,058	913	97	15	20	7	1	1	4
Milwaukee - C 254	1,070	874	784	63	9	8	9	0	0	1
Milwaukee - C 255	1,222	958	838	83	14	6	13	1	1	2
Milwaukee - C 256	2,129	1,691	1,368	222	53	32	11	0	1	4
Milwaukee - C 257	2,004	1,523	1,259	186	25	38	13	1	1	0
Milwaukee - C 258	1,139	864	624	162	43	20	11	0	2	2
Milwaukee - C 259	1,256	953	581	275	41	43	10	0	1	2
Milwaukee - C 260	1,256	863	356	454	28	14	10	1	0	0
Milwaukee - C 261	2,255	1,482	465	921	35	31	28	0	1	1
Milwaukee - C 262	1,898	1,284	502	726	27	11	13	3	1	1
Milwaukee - C 263	1,260	913	567	311	12	7	12	0	2	2
Milwaukee - C 264	1,060	832	684	107	20	8	11	0	0	2
Milwaukee - C 265	1,295	1,063	916	91	21	13	16	3	2	1
Milwaukee - C 266	1,546	1,291	1,131	97	31	4	27	0	0	1
Milwaukee - C 267	1,397	1,223	1,119	58	13	20	9	1	2	1
Milwaukee - C 268	1,298	1,047	927	83	12	14	9	1	0	1
Milwaukee - C 269	1,411	1,194	1,081	67	13	23	9	0	1	0

Voting Ward	Total Population	Voting Age								
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Milwaukee - C 270	1,409	1,203	1,125	52	6	12	8	0	0	0
Milwaukee - C 271	1,190	990	879	58	9	20	21	0	2	1
Milwaukee - C 272	1,900	1,510	1,328	121	31	7	21	0	1	1
Milwaukee - C 273	1,512	1,241	1,098	93	16	21	10	2	0	1
Milwaukee - C 274	1,453	1,213	1,032	113	29	15	23	0	0	1
Milwaukee - C 275	1,268	1,029	848	124	17	8	26	1	0	5
Milwaukee - C 276	1,089	840	702	100	9	15	13	0	1	0
Milwaukee - C 277	1,162	919	758	130	8	5	14	0	3	1
Milwaukee - C 278	2,327	1,715	1,176	450	40	24	24	0	1	0
Milwaukee - C 279	1,867	1,300	659	575	26	24	12	2	0	2
Milwaukee - C 280	1,053	776	484	252	9	12	17	0	2	0
Milwaukee - C 281	1,705	1,250	700	430	90	17	5	3	1	4
Milwaukee - C 282	1,078	747	279	344	110	4	8	0	0	2
Milwaukee - C 283	1,710	1,268	743	407	32	63	13	1	8	1
Milwaukee - C 284	1,292	989	446	282	129	103	18	1	2	8
Milwaukee - C 285	1,257	933	555	266	44	46	13	0	1	8
Milwaukee - C 286	3,586	2,829	1,971	513	181	123	27	3	2	9
Milwaukee - C 287	1,891	1,449	1,138	213	41	28	27	0	2	0
Milwaukee - C 288	2,035	1,648	1,408	148	30	43	18	0	0	1
Milwaukee - C 289	2,285	1,812	1,497	214	41	27	25	0	5	3
Milwaukee - C 290	2,215	1,762	1,459	201	50	24	20	2	1	5
Milwaukee - C 291	2,097	1,666	1,459	112	10	62	16	2	5	0
Milwaukee - C 292	2,263	1,857	1,580	159	62	34	15	1	3	3
Milwaukee - C 293	2,969	2,249	1,758	259	94	93	33	0	6	6
Milwaukee - C 294	1,537	1,197	1,072	67	17	28	9	0	1	3
Milwaukee - C 295	1,204	901	763	87	25	11	12	0	2	1
Milwaukee - C 296	2,677	2,190	1,915	159	60	43	11	0	2	0
Milwaukee - C 297	1,199	912	814	49	10	23	12	1	0	3
Milwaukee - C 298	2,019	1,455	1,244	133	42	10	19	2	2	3
Milwaukee - C 299	1,626	1,254	912	265	37	23	15	0	0	2

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Milwaukee - C 300	1,847	1,438	1,048	282	70	21	9	0	4	4
Milwaukee - C 301	1,621	1,326	1,180	102	9	13	19	1	0	2
Milwaukee - C 302	1,836	1,454	1,299	111	9	23	9	0	1	2
Milwaukee - C 303	1,358	1,035	882	106	21	13	12	1	0	0
Milwaukee - C 304	1,578	1,191	940	189	16	22	17	3	1	3
Milwaukee - C 305	1,635	1,242	1,003	151	18	49	17	2	0	2
Milwaukee - C 306	1,818	1,441	1,099	203	35	79	20	0	4	1
Milwaukee - C 307	2,523	1,868	1,062	487	122	147	33	2	10	5
Milwaukee - C 308	2,075	1,580	1,208	227	18	102	16	4	4	1
Milwaukee - C 309	1,432	933	573	168	44	141	6	0	0	1
Milwaukee - C 310	2,107	1,570	1,201	206	33	105	16	3	2	4
Milwaukee - C 311	2,067	1,535	1,302	167	11	45	9	0	0	1
Milwaukee - C 312	3,717	2,871	2,360	303	82	94	19	1	4	8
Milwaukee - C 313	2,463	1,909	1,551	203	43	82	22	3	2	3
*Milwaukee - C 314	0	0	0	0	0	0	0	0	0	0
*Milwaukee - C 315	0	0	0	0	0	0	0	0	0	0
City Total	594,833	433,486	193,168	63,206	156,151	14,606	3,578	215	545	2,017

Source: LRB analysis of 2010 Census data and LRB Proposed Voting Ward Plan.

*Ward 314 is a zero population census block located in Washington County.

*Ward 315 is a zero population census block located in Waukesha County.

2011 Proposed Ward - Demographics.xls

5/11/2011

Summary of Voting Ward Changes Made to Create LRB Proposed Ward Plan (CCFN 110062).

Description of Rationale Codes				
Code	Description			
1	Compliance with population range requirements			
2	Permit creation of supervisory districts of substantially equal populations			
3	Permit creation of aldermanic districts of substantially equal populations			
4	Compactness of ward			
5	Observe the community of interest of existing neighborhoods			
6	Enhance participation of members of a racial or language minority group			
<i>(Current Ward Numbers)</i>				
Ward Being Changed ("from" ward)	Description of Changes	Receiving Ward ("to" ward)	Change Rationale Code	New Ward Number
1	area between 25th & 27th, S of Silver Spring	161	4	55
	area E of 27th, N of Silver Spring	157	4	
	area SW of Green Bay and Villard	"new" 2	4	
2	wards combined and reconfigured so that the N half is ward 2 and S half is ward 3	2, 3	2	56
3				57
	added one block from ward 2 to ward 11 (S of Hampton)	11	4	
4				54
5				52
6				50
7				48
8	area W of 55th removed and given to new 315, remaining area E of 55th combined with portion of 159 that is S of Silver Spring and E of 55th	8	3	47
9	blocks E of 55th	7	4,5	46
10				44
11				58
12				61
13				62
14	area W of RR tracks	115	3,4	63
15				64
16				99
17				59
18				60
19	area E of 16th	165	2	95
20				26
21				27
22	one block E of 64th	new 315	2	43
23				41
24				29
25	everything NE of Fond du Lac freeway	24	4,5	30
26	area S of Villard	new 316	1,4	40
27	area W of 76th	new 316	1,4	42
28				38
29				71
30				72
31				74
32	area bounded by 60th/FDL/Capitol	33	3,5	68
33				70
34				73

Ward Being Changed ("from" ward)	Description of Changes	Receiving Ward ("to" ward)	Change Rationale Code	New Ward Number
35	area W of 60th	33	3	87
36				86
37				124
38				102
39				103
40	the one block that's S of Kenwood	44	4	104
41				105
42				154
43				152
44				148
45				153
46				151
47				149
48	area W of Humboldt	105	1	147
49				150
50				155
51				156
52				184
53				157
54	everything S of Ogden	55	3	183
	everything N of Brady	53	1	
55	everything N of Ogden and E of Milw.	54	3	182
56	S of Michigan	59	2	185
57				216
58				186
59				215
60	area N of State	55	1,2	187
	area S of Wisconsin, E of I-43	317	4,5	
	area S of Wisconsin, W of I-43	318	4,5	
61	area N of Highland and E of I-43	55	1,2	180
	area S of Highland and E of I-43	60	2	
	area S of Highland and W of I-43	62	2	
62	area E of I-43	60	4,5	188
63				212
64				210
65				191
66				192
67	portion N of Vliet	310	3	
	portion S of Vliet	67	3	178
68	portions S of Vliet to 68; portions N of Vliet to 69 (except 1			177
69	block NW of 31st & Vliet stays with 68 to make pop big	68, 69	3	176
70				194
71				193
72				209
73				208
74				37
75				36
76	the one block N of Villard	77	4	35
77				34
78				75
79				77
81				76
80	combined into 2 wards, split on Congress, with everything N of			78
82	Congress being in 80 and S of Congress in 82 (ward 83)			79

Ward Being Changed ("from" ward)	Description of Changes	Receiving Ward ("to" ward)	Change Rationale Code	New Ward Number
83	disappears)	80, 82	4	NA
84				84
85				83
86	area NW of 92nd/Lisbon to 88; area W of 92nd b/w Lisbon and Keefe to 87; area SW of 92nd & Keefe to 91; gains portion of current 89 S of Lisbon	86, 87, 88, 91	4	82
87	area NE of Lisbon	88	4	81
88				80
89	area S of Lisbon	86	4	85
90	area W of 92	91	4	127
91	area N of Keefe	87	4	128
92	blocks east of 76th	37	4	125
93				126
94				129
95	combined and reconfigured for much better shape -- divided			107
96	E/W along Keefe	95, 96	4	101
97				100
98				108
99				111
100				110
101				109
102	blocks E of Humboldt	41	4	106
103	ward disappears; everything E of Pierce goes to 102, W of Pierce to 104	102, 104	3,4	NA
104				144
105	area W of Pierce	106	3	146
106	SW-most block	107	1,4	145
107				143
108				142
109				141
110				158
111				159
112	area S of Vliet and E of 7th	55	2	181
113				69
114				67
115				65
116				66
117				89
118				88
119				120
120				122
121				123
122				118
123				119
124	area E of 51st	123	3,4	121
	area N of Burleigh	119	3,4	
125				130
126				131
127	the 2 blocks E of 51st	128	2	132
128	the 2 blocks N of Locust	123	2	133
	everything S of Center	130, 303	1,4	
129				136
130				135
131				137

Ward Being Changed ("from" ward)	Description of Changes	Receiving Ward ("to" ward)	Change Rationale Code	New Ward Number
132	the one block S of Greenfield	133	4	226
133				225
134				227
135	blocks E of Layton Blvd.	134,137	1	233
136	make 19th St the boundary with 212	136, 212	3,4	235
137	blocks S of Lincoln	138	4,5	234
138	blocks W of 31st	182	1,5,6	250
	blocks N of Grant	135	1	
139				248
140	Forest Home Cemetery	138	3	249
141				245
142	3 blocks W of 14th	140	3	244
143	area N of RR, W of 20th	138	3	260
	area E of 20th, N of RR	140	3	
144	area bounded by FH/RR/27th except W of 31st	138	1,3,5,6	259
	area W of 31st, N of RR	182	1,3	
145	aera W of 45th	146	4	258
146	area N of Cleveland	183	4	257
147				19
148	the one block W of 60th	149	4	16
149				5
150				20
151				18
152				17
153				15
154				14
155				11
156				22
157				21
158				23
159	portioin S of Silver Spring removed and reassigned to 8 and new 315	8, 315	3	24
160	the 2 blocks W of 64th	20	4	25
161				53
162				51
163				49
164				98
165				97
166				96
167				93
168				94
169				92
170				91
171				90
172				117
173				116
174				115
175				114
176	ward disappears; area SW of Hopkins goes to 175, area NE of Hopkins goes to 167	167, 175	1,3	NA
177	area S of Locust and W of 13th combined into one new ward			112
178	(along with corresponding area from ward 109)	"new" 178	2,3	140
	remainder of ward 178	177	1	
179	blocks S of Clarke, one block WE of 27th & Center	299	1	139

Ward Being Changed ("from" ward)	Description of Changes	Receiving Ward ("to" ward)	Change Rationale Code	New Ward Number
180	area S of Locust	179	3	113
181	everything W of RR	131	1,4	138
182				251
183	area N of Parkway Dr, E of 43rd	145	3,4	252
184				256
185				255
186				253
187				254
188				288
189				289
190				292
191				294
192				296
193				298
194				297
195				295
196				293
197				291
198				290
199				287
200				286
201				214
202				217
203				219
204	two NE'most blocks	63	1,4	220
205				221
206	blocks W of 20th	64, 132	3	224
207	blocks W of 20th	133	3	223
208				222
209				218
210				238
211				237
212	make 19th St the boundary with 136	136, 212	3	236
213				242
214				247
215				246
216	blocks S of Howard	224	3	276
217	everything W of freeway	218	3	277
	the 2 blocks S of Howard	223	3	
218				278
219				283
220	one block SE of 35th & Oklahoma	144	2	285
	area S of Morgan, E of Point Tr.	320 (new)	3	
221				300
222				299
223				301
224				302
225				306
226				307
227				309
228				308
229				310
230				311
231				312

Ward Being Changed ("from" ward)	Description of Changes	Receiving Ward ("to" ward)	Change Rationale Code	New Ward Number
232				313
233				305
234				304
235				241
236				240
237	the 2 blocks SW of KK Ave.	236	4	239
238				267
239				268
240				265
241				264
242	one-block strip between Morgan and Holt, W of Chase	217	4,5	263
243				262
244				261
245				281
246				282
247	blocks E of 15th	248	3	280
248				279
249				275
250				274
251				266
252				269
253				270
254				271
255				272
256				273
257				303
258				4
259				3
260				2
261				1
262				314
263				8
264				7
265				6
266				9
267				10
268				12
269				13
270				28
271	piece SW of 91st & Mill	267	3,4	32
272				31
273				33
274				315
275				171
276	area S of Washington Blvd.	278	1,4	172
277				173
278				174
279				196
280				197
281				206
282				205
283				203
284				201
285				200

Ward Being Changed ("from" ward)	Description of Changes	Receiving Ward ("to" ward)	Change Rationale Code	New Ward Number
286				198
287				199
288				202
289				204
290				207
291				228
292	ward disappears; W of County line to 293, E of County line to 291	291, 293	2	NA
293				229
294				230
295				231
296				232
297				160
298				162
299				163
300				166
301				167
302				168
303				134
304				169
305				170
306				175
307	blocks E of 35th	71	3	195
308				165
309				164
310	N of Vliet	310	3	179
	S of Vliet	67	3	
311	E of 17th, N of State	61	4	190
312				189
313	everything S of Vliet	61	1	NA
	remainder of ward 313 (313 will no longer exist)	314	1,3	
314				161
	ward 159 S of Silver Spring plus ward 8 W of 55th	new ward 315	3	45
	ward 26 S of Villard plus ward 27 W of 76th	new ward 316	1,4	39
	ward 60 S of Wisconsin, E of I-43	new ward 317	4,5	213
	ward 60 S of Wisconsin, W of I-43	new ward 318	4,5	211
	ward 215 E of 10th; ward 141 E of 10th	new ward 319	3	243
	ward 220 SE of Morgan and Point Tr	new ward 320	3	284
Preliminary Ward Changes.xls				
5/11/2011				

CENSUS BLOCK**VOTING WARD**

550790002011000	Milwaukee - C 1
550790002011001	Milwaukee - C 1
550790002011002	Milwaukee - C 1
550790002011003	Milwaukee - C 1
550790002011004	Milwaukee - C 1
550790002011005	Milwaukee - C 1
550790002011006	Milwaukee - C 1
550790002011007	Milwaukee - C 1
550790002011008	Milwaukee - C 1
550790002011009	Milwaukee - C 1
550790002012000	Milwaukee - C 1
550790002012001	Milwaukee - C 1
550790002012002	Milwaukee - C 1
550790002012003	Milwaukee - C 1
550790002012004	Milwaukee - C 1
550790002012005	Milwaukee - C 1
550790002012006	Milwaukee - C 1
550790002012007	Milwaukee - C 1
550790002012008	Milwaukee - C 1
550790002012009	Milwaukee - C 1
550790002012010	Milwaukee - C 1
550790002012011	Milwaukee - C 1
550790002012012	Milwaukee - C 1
550790002012013	Milwaukee - C 1
550790002012014	Milwaukee - C 1
550790002012015	Milwaukee - C 1
550790002012016	Milwaukee - C 1
550790002012017	Milwaukee - C 1
550790002013000	Milwaukee - C 2
550790002013001	Milwaukee - C 2
550790001011000	Milwaukee - C 3
550790001011001	Milwaukee - C 3
550790001011002	Milwaukee - C 3
550790001011003	Milwaukee - C 3
550790001011004	Milwaukee - C 3
550790001012000	Milwaukee - C 3
550790001012001	Milwaukee - C 3
550790001012002	Milwaukee - C 3
550790001012003	Milwaukee - C 3
550790001012004	Milwaukee - C 3
550790001012005	Milwaukee - C 3
550790001012006	Milwaukee - C 3
550790001012007	Milwaukee - C 3
550790001012008	Milwaukee - C 3
550790001012009	Milwaukee - C 3
550790001013000	Milwaukee - C 4
550790001013001	Milwaukee - C 4
550790001014000	Milwaukee - C 4
550790001014001	Milwaukee - C 4
550790001014002	Milwaukee - C 4
550790001014003	Milwaukee - C 4

550790001014004	Milwaukee - C 4
550790001014005	Milwaukee - C 4
550790001014006	Milwaukee - C 4
550790001014007	Milwaukee - C 4
550790001014008	Milwaukee - C 4
550790001014009	Milwaukee - C 4
550790001022007	Milwaukee - C 5
550790001023000	Milwaukee - C 5
550790001023001	Milwaukee - C 5
550790001023002	Milwaukee - C 5
550790001023003	Milwaukee - C 5
550790001023004	Milwaukee - C 5
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550790007003001	Milwaukee - C 5
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550790001021001	Milwaukee - C 6
550790001021002	Milwaukee - C 6
550790001021003	Milwaukee - C 6
550790001022000	Milwaukee - C 6
550790001022001	Milwaukee - C 6
550790001022002	Milwaukee - C 6
550790001022003	Milwaukee - C 6
550790001022004	Milwaukee - C 6
550790001022005	Milwaukee - C 6
550790001022006	Milwaukee - C 6
550790001022008	Milwaukee - C 6
550790001022009	Milwaukee - C 6
550790001022010	Milwaukee - C 6
550790001022011	Milwaukee - C 6
550790001022014	Milwaukee - C 6
550790002021007	Milwaukee - C 7
550790002021008	Milwaukee - C 7
550790002021011	Milwaukee - C 7
550790002021016	Milwaukee - C 7
550790002021017	Milwaukee - C 7
550790002021018	Milwaukee - C 7
550790002021019	Milwaukee - C 7
550790002021020	Milwaukee - C 7
550790002021021	Milwaukee - C 7
550790002021022	Milwaukee - C 7
550790002021023	Milwaukee - C 7
550790002021024	Milwaukee - C 7
550790002022000	Milwaukee - C 7
550790002022001	Milwaukee - C 7
550790002022002	Milwaukee - C 7
550790002022004	Milwaukee - C 7
550790002022005	Milwaukee - C 7
550790002022006	Milwaukee - C 7

550790002022007	Milwaukee - C 7
550790002022008	Milwaukee - C 7
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550790002022011	Milwaukee - C 7
550790002022012	Milwaukee - C 7
550790002022013	Milwaukee - C 7
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550790002022015	Milwaukee - C 7
550790002022016	Milwaukee - C 7
550790002022017	Milwaukee - C 7
550790002022018	Milwaukee - C 7
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550790002023001	Milwaukee - C 7
550790002023002	Milwaukee - C 7
550790002023003	Milwaukee - C 7
550790002023004	Milwaukee - C 7
550790002023005	Milwaukee - C 7
550790002023006	Milwaukee - C 7
550790002023007	Milwaukee - C 7
550790002023008	Milwaukee - C 7
550790002023014	Milwaukee - C 7
550790002023015	Milwaukee - C 7
550790002023016	Milwaukee - C 7
550790002021000	Milwaukee - C 8
550790002021001	Milwaukee - C 8
550790002021002	Milwaukee - C 8
550790002021003	Milwaukee - C 8
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550790002021009	Milwaukee - C 8
550790002021010	Milwaukee - C 8
550790002021012	Milwaukee - C 8
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550790002021014	Milwaukee - C 8
550790002021015	Milwaukee - C 8
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550790002023010	Milwaukee - C 9
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550790002023021	Milwaukee - C 9
550790002023022	Milwaukee - C 9
550790002023023	Milwaukee - C 9
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550790002023025	Milwaukee - C 9

550790002023026	Milwaukee - C 9
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550790001022016	Milwaukee - C 11
550790001022017	Milwaukee - C 11
550790001022018	Milwaukee - C 11
550790001022019	Milwaukee - C 11
550790001022020	Milwaukee - C 11
550790001022021	Milwaukee - C 11
550790001022022	Milwaukee - C 11
550790001022023	Milwaukee - C 11
550790001022024	Milwaukee - C 11
550790001022025	Milwaukee - C 11
550790001022026	Milwaukee - C 11
550790003042000	Milwaukee - C 11
550790003042001	Milwaukee - C 11
550790003042002	Milwaukee - C 11
550790003042003	Milwaukee - C 11
550790003042004	Milwaukee - C 11
550790003042007	Milwaukee - C 11
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550790003042009	Milwaukee - C 11
550790003042010	Milwaukee - C 11
550790003042011	Milwaukee - C 11
550790003042005	Milwaukee - C 12
550790003042006	Milwaukee - C 12
550790003042012	Milwaukee - C 12
550790003042013	Milwaukee - C 12
550790003042014	Milwaukee - C 12
550790003042015	Milwaukee - C 12
550790003042016	Milwaukee - C 12

550790003042017	Milwaukee - C 12
550790003042018	Milwaukee - C 12
550790003042019	Milwaukee - C 12
550790003042025	Milwaukee - C 12
550790006003001	Milwaukee - C 12
550790006003002	Milwaukee - C 12
550790006003003	Milwaukee - C 12
550790006003004	Milwaukee - C 12
550790006001000	Milwaukee - C 13
550790006001001	Milwaukee - C 13
550790006001002	Milwaukee - C 13
550790006001003	Milwaukee - C 13
550790006001004	Milwaukee - C 13
550790006001005	Milwaukee - C 13
550790006001006	Milwaukee - C 13
550790006001007	Milwaukee - C 13
550790006002000	Milwaukee - C 13
550790006002001	Milwaukee - C 13
550790006002002	Milwaukee - C 13
550790006002003	Milwaukee - C 13
550790006002004	Milwaukee - C 13
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550790006002007	Milwaukee - C 13
550790006002008	Milwaukee - C 13
550790006002009	Milwaukee - C 13
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550790006002012	Milwaukee - C 13
550790006002013	Milwaukee - C 13
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550790006003005	Milwaukee - C 13
550790006003006	Milwaukee - C 13
550790006003007	Milwaukee - C 13
550790006003008	Milwaukee - C 13
550790006003009	Milwaukee - C 13
550790006003010	Milwaukee - C 13
550790006003011	Milwaukee - C 13
550790006003012	Milwaukee - C 13
550790006003013	Milwaukee - C 13
550790006003014	Milwaukee - C 13
550790006004000	Milwaukee - C 14
550790006004001	Milwaukee - C 14
550790006004002	Milwaukee - C 14
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Legislation Details (With Text)

File #: 110011 **Version:** 0

Type: Communication **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Communication from the Election Commission relating to the payment of poll workers.

Sponsors: THE CHAIR

Indexes: ELECTION COMMISSION, RATES OF PAY, WAGES AND BENEFITS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
110011
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Communication from the Election Commission relating to the payment of poll workers.

Requestor

Drafter
CC-CC
jro
4/19/11



Legislation Details (With Text)

File #: 110046 **Version:** 0
Type: Communication **Status:** In Committee
File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Communication from the National League of Cities relating to the Open Society Institute’s Black Male Achievement program.
Sponsors: ALD. DAVIS, ALD. HAMILTON
Indexes: SOCIAL CONCERNS
Attachments: Black Male Achievement Community Forum, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/10/2011	0	CITY CLERK	Sponsor added		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
110046
Version
ORIGINAL
Reference

Sponsor
ALD. DAVIS AND ALD. HAMILTON
Title

Communication from the National League of Cities relating to the Open Society Institute’s Black Male Achievement program.

Requestor

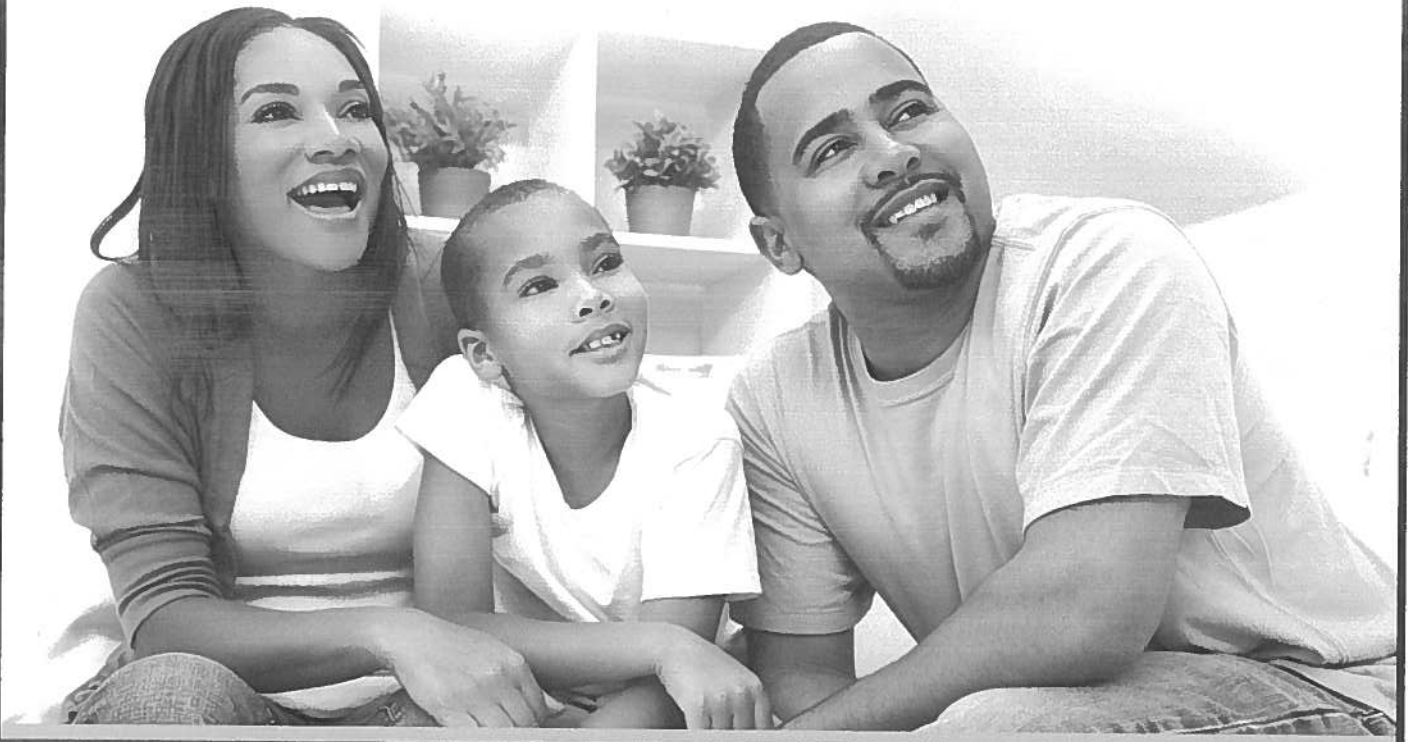
Drafter
CC-CC
jro
4/28/11

Black Male Achievement Community Forum

The City of Milwaukee has been selected by the **Open Society Institute** as one of the recipients to address the issue of Black Male Achievement.

Black Male Achievement *and How it Affects the Family Structure*

The University of Wisconsin – Milwaukee will host this event at the
UWM Student Union Ballroom East, 2200 E. Kenwood Blvd.
Monday, May 16, 2011 at 6:30 p.m.



Thank you to our sponsors:

City of Milwaukee, City of Milwaukee Youth Council, National League of Cities, University of Wisconsin – Milwaukee, Milwaukee Fatherhood Initiative, Running Rebels, Silver Spring Neighborhood Center, Urban Underground, Lighthouse Youth Center, & CoMission Against Diseases of Poverty

Black Male Achievement Community Forum

Agenda

May 16, 2011

University of Wisconsin – Milwaukee

Student Union Ballroom East

2200 East Kenwood Blvd.

6:30pm – 8:30pm

Opening Remarks (6:30pm - 5 minutes)

Eric Von, WMCS 1290

Greetings (6:35pm - 5 minutes)

Honorable Mayor Tom Barrett

Introduction of Panelist (6:40pm - 5 minutes)

Eric Von, WMCS 1290

Panelists

- Leon Andrews – National League of Cities
- John Chisholm – Milwaukee County District Attorney
- Diann Dawson – United States Department of Health & Human Services
- Alderman Ashanti Hamilton – 1st District, City of Milwaukee
- Dr. Marc Levine – University of Wisconsin – Milwaukee
- Jeff Street – CoMission Against Disease of Poverty

Panelist Discussion (6:45pm - 15 minutes)

Eric Von, Facilitator

Questions & Answers (7:00pm - 10 minutes)

30 seconds each question

Break (7:10pm - 5 minutes)

Introduction of Panelist (7:15pm - 5 minutes)

Eric Von, WMCS 1290

Panelists

- Victor Barnett – Running Rebels
- Jim Bartos – Silver Spring Neighborhood Center
- Sharlen Moore – Urban Underground
- Terrance Ray – Milwaukee Fatherhood Initiative
- Pastor Christian Winkel – Lighthouse Youth Center

Panelist Discussion (7:20pm - 15 minutes)

Eric Von, Facilitator

Questions & Answers (7:35pm - 10 minutes)

30 seconds each question

Round Table Instructions (7:45pm – 5minutes)

ROUND TABLE DISCUSSIONS (7:50pm – 15 minutes)

Reconvene for final results of discussion (8:05pm – 5 minutes)

Results of Round Table Discussions (8:10pm – 10 minutes)

Final Remarks (8:20pm – 10 minutes)

Jeff Street - Founder
*CoMission Against Diseases of
Poverty*

The two (2) questions guiding the Community Forum:

1. How does **having an incarcerated parent** affect Black Male Achievement?
2. What is the **most important issue that positively and negatively affects** the achievement of Black Males?



National League of Cities' Institute for Youth, Education, and Families

Municipal Leadership for Black Male Achievement:

Leon T. Andrews, Jr

Senior Fellow

Milwaukee, Wisconsin

May 16, 2011





National League of Cities (NLC)

- ◆ Oldest and largest national organization representing municipal governments throughout the United States
- ◆ Represents roughly 18,000 cities
 - ◆ Direct member cities – 1,600
 - ◆ 49 state municipal leagues
- ◆ Work with local elected officials from cities of all sizes and all parts of the country



NLC's Mission:

To strengthen and promote cities as centers of opportunity, leadership, and governance.



Institute for Youth, Education, and Families (YEF Institute)

- ◆ The Institute for Youth, Education, and Families (YEF Institute) is a special entity within the National League of Cities (NLC).
- ◆ In 2000, NLC launched the YEF Institute in recognition of the roles that mayors, city councilmembers, and other local leaders can play in strengthening families and improving outcomes for children and youth.

YEF Institute's Mission:

To help municipal leaders take action on behalf of children, youth, and families.





YEF Institute: Five Core Program Areas

1) Early Childhood Development

2) Education and Afterschool

- ◆ K-12 School Improvement
- ◆ Afterschool Programs
- ◆ High School Reform

3) Family Economic Success

- ◆ Asset Building
- ◆ Benefits for Working Families
- ◆ Transitional Jobs

4) Safety of Children and Youth

- ◆ Gang Prevention (in Youth Development)

5) Youth Development

- ◆ Disconnected Youth
- ◆ Obesity in Children and Youth
- ◆ Youth Leadership & Youth Participation in Municipal Government
- ◆ Youth Master Planning



YEF Institute: Services for municipal officials

◆ **Guidance and assistance**

- ✓ **Technical assistance projects**
- ✓ **Leadership academies and trainings**
- ✓ **National Summit on Your City's Families**

◆ **Information on promising practices**

- ✓ **Action kits**
- ✓ **Audioconferences**
- ✓ **Research reports**

◆ **Networking opportunities**

- ✓ **Education Policy Advisors Network**
- ✓ **Early Care and Education City Network**
- ✓ **Afterschool Policy Advisors Network**
- ✓ **Municipal Network for Disconnected Youth**
- ✓ **Youth Participation Advisors Network**



Action Kits

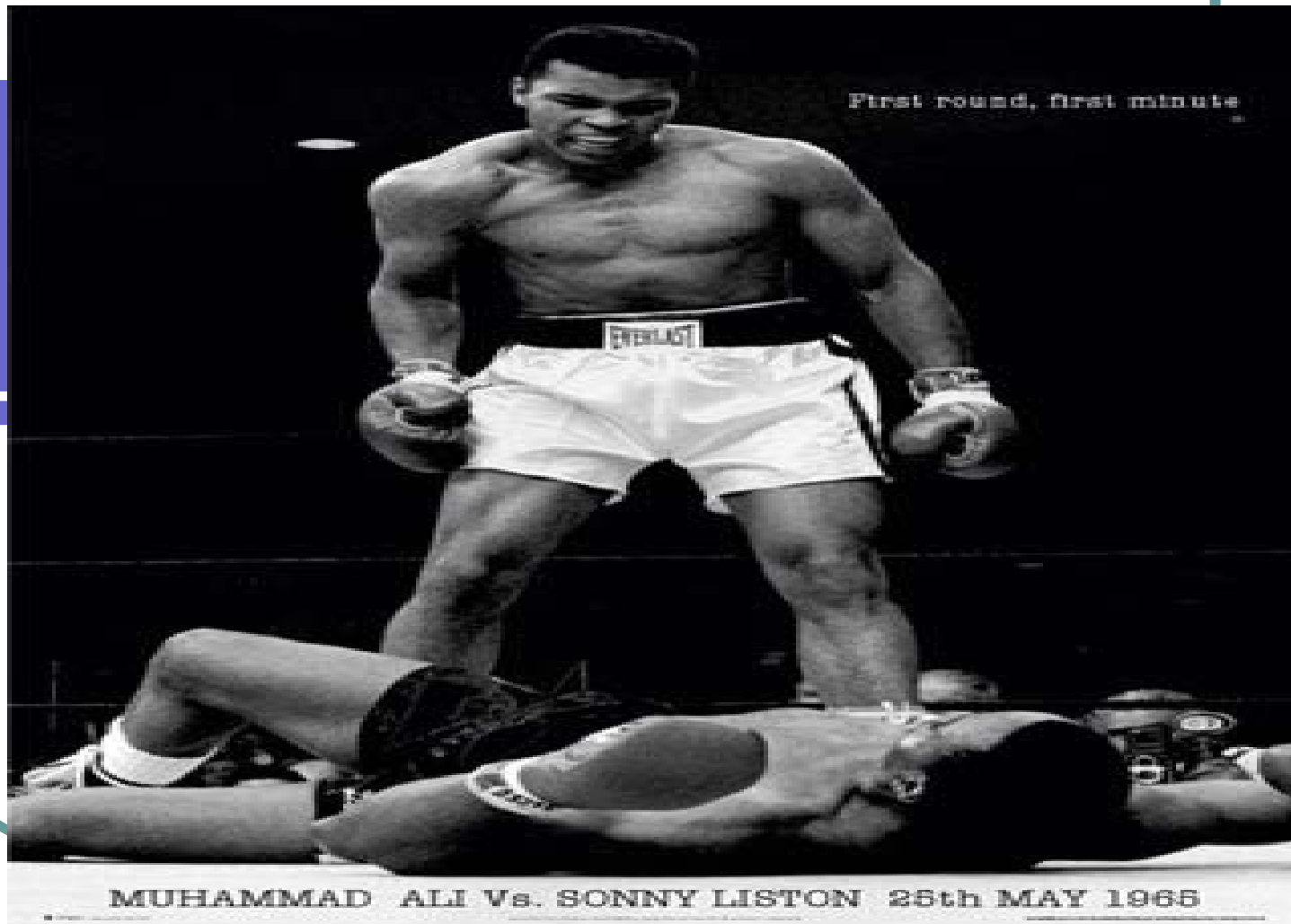
1. Protecting Children and Youth
2. Helping Working Families
3. Promoting Youth Participation
4. Expanding Afterschool Opportunities
5. Improving Public Schools
6. Supporting Early Childhood Success
7. Reengaging Disconnected Youth
8. Combating Childhood Obesity
9. Creating a Youth Master Plan





**THE
POWER of
MENTORSHIP**

What Does Winning Look Like?



Campaign for Black Male Achievement



CBMA 3 Buckets, 1 Pillar

- Increasing **Work** Opportunities
- Strengthening **Family** Structures
- Increasing **Educational** Equity

STRENGTHEN THE FIELD



OSF Campaign Goals

- To strengthen low-income black families through responsible fatherhood initiatives, policy advocacy, and supporting efforts that lift barriers facing single mothers raising black boys.
- To ensure that black boys have the opportunity to excel academically, to prepare for college, and to learn skills essential to earning a living wage.
- To expand and ensure 21st century family supportive wage work opportunities for black males.
- To integrate strategic communications and arts & culture into CBMA's work across its three core areas to promote positive frames and messages about black men and boys.
- To serve as a catalyst in the field of philanthropy for leveraging additional private and public funds for the field of black male achievement.



Place Matters!

- **Midwest**, with a focus on Chicago, Illinois and Milwaukee, Wisconsin;
- **Gulf Region**, with a focus on New Orleans, Louisiana and Jackson, Mississippi;
- **Mid-Atlantic**, with a focus on Baltimore, Maryland and Philadelphia, Pennsylvania.



Race & Gender Matters Too!

- Asset-based Language about Black Men and Boys
- Community-Building Strategy, Inclusive of Women; LGBT Community
- Blend of Direct Service/Demonstration Projects & Policy Advocacy Investments



Family Strategies

- Develop placed-based strategy for responsible fatherhood initiatives
- Fund advocacy to address the needs of single mothers
- Invest in advocacy to expand use of the Earned Income Tax Credit
- Invest in child support reform to account for non-custodial fathers, custodial mothers, and their children
- Help regional fatherhood groups access federal funding



Family Impacts

- Adoption of balanced child support policies that forgive arrears and are scaled to take into account the father's earning power
- Expanded EITC access for non-custodial fathers who are up-to-date on their child support payments
- Strengthened capacity to exchange strategies and document best practices of emerging responsible fatherhood initiatives



Education Strategies

- Invest in mentoring and other models that ensure school success and increase learning out of school and during the summer
- Invest in ongoing federal policy advocacy for educational reform
- Invest in technical assistance for organizations applying for funding through federal programs to ensure a focus on black male achievement
- Invest in the development of innovative education models



Education Impacts

- 100,000 middle school youth matched with adult mentors by 2015
- Closing of achievement gap for black males in CBMA regions
- Increased high school graduation rates for black males in regions
- Decreased reliance on zero-tolerance school discipline policies in CBMA regions
- Strengthened network of school and community partnerships for improved educational outcomes



Work Strategies

- Invest in placed-based school-to-work initiatives and workforce development opportunities for black males ages 16 to 24
- Invest in the development of workers' centers in targeted communities that can serve as models for national replication in CBMA's placed-based sites
- Leverage CBMA funding to increase federal investment in job training and workforce development programs.



Work Impacts

- Decreased unemployment rates in CBMA regions
- More collaboration between immigrant and native-born low-wage workers to advance workers' rights
- Increased involvement of the Obama administration's Office of Urban Policy and the Department of Labor in developing urban work opportunity initiatives
- Replication of Los Angeles Black Worker Center model in 2-3 CBMA target states



Strengthen the Field Investments

- Implement plan to meet the field's communications capacity needs
- Support efforts to challenge negative perceptions through media and social marketing campaigns, including youth-led initiatives bridging new media to organizing
- Lead and support affinity groups, convenings, and donor collaboratives
- Partner with corporate philanthropy to increase funding from the business community



Strengthening the Field Impacts

- Increased capacity and sustainability for 25-30 organizations across the CBMA target states
- Increased number of partnerships with national and local funders to improve the image of black men and boys through a campaign-style communications effort
- Increased coordination and information exchange among local, state, regional, and national funders working on this issue



CBMA High 5!

1. Keep BMB Crisis/Opportunity in National Discourse
2. Cultivate Philanthropic Partnerships
3. Measure & Promote What Works
4. Strengthen the Field through Leadership Organizational Development
5. Sustain the Campaign



Creating a Local Action Plan: Five Key Components

**FORGING A COMMON
VISION**

**ENGAGING ALL
STAKEHOLDERS**

**DEVELOPING
STRATEGIES**

**SHARING
ACCOUNTABILITY**

**COORDINATING
INFRASTRUCTURE**



Action Plan Component: FORGING A COMMON VISION

Communities Need to Ensure That		
<i>throughout their developmental years</i>	Age Groups	Early childhood, High School, etc.
<i>and throughout their waking hours</i>	Time	During School, After School, etc.
All Children and Youth		
<i>need constant access to a range of services, supports and opportunities</i>	Supports	Basic Care, Relationships, etc.
<i>in the settings where they spend time</i>	Settings	Youth Organizations, Schools, etc.
<i>in ways that address challenges, strengthen skills and connections</i>	Strategies	Protection/Treatment, Prevention, etc.
<i>in order to be well-prepared for college, work and life</i>	Outcomes	Learning, Working, etc.
Achieve to Their Full Potential		
<i>and get additional supports, if needed.</i>	Challenges	Poverty, Race, etc.



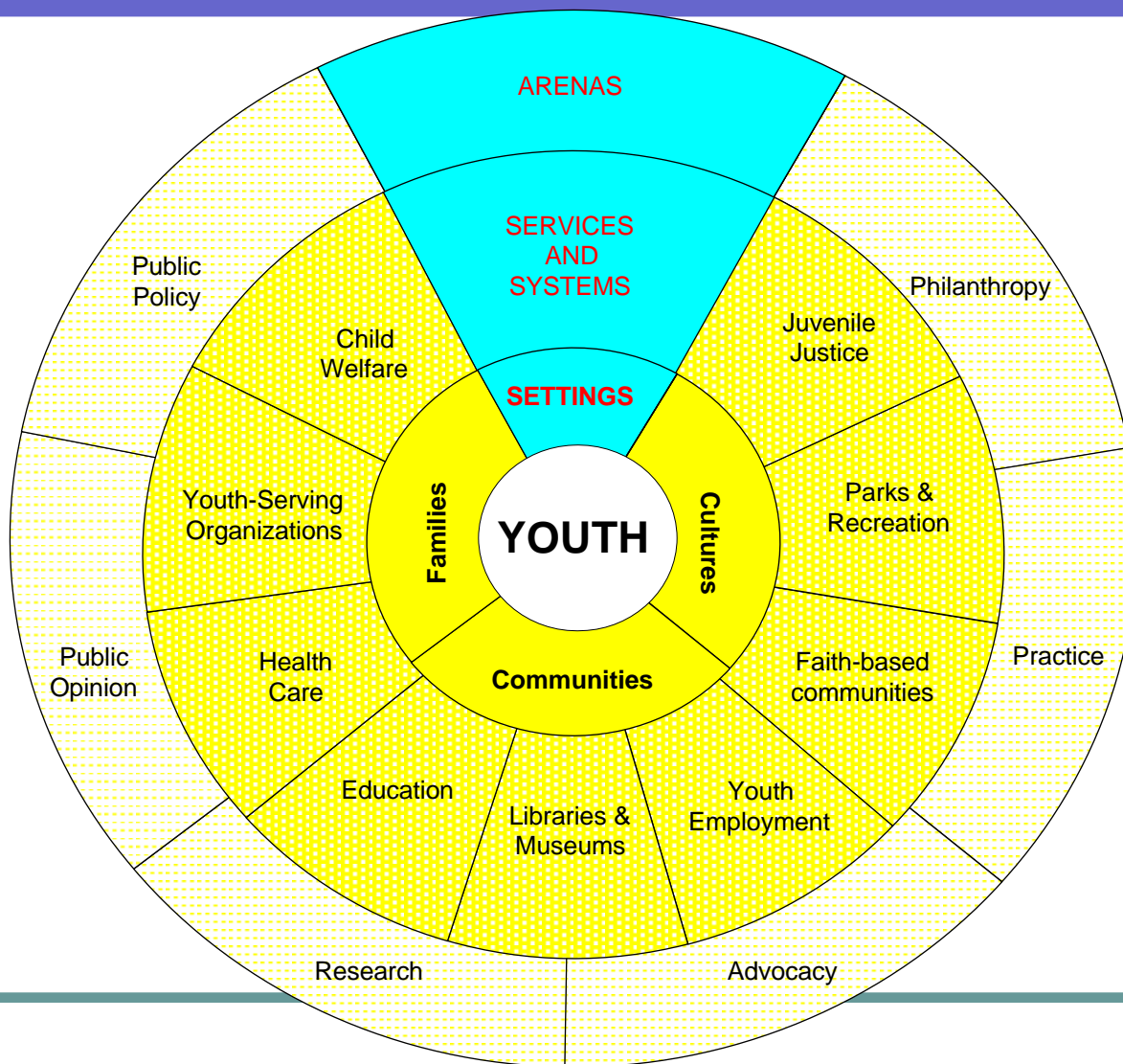
2025 Vision for Black Men & Boys: FORGING A COMMON VISION



We envision a time when our public education system will truly provide a quality education to all children and youth where there is no gap in achievement between Black and White students. Schools will be supportive environments for learning for all students, and educators will see the potential and gift in Black Boys. All Black boys will graduate from high school and pursue educational opportunities and skills training beyond high school that enable them to achieve the “American dream.” Adults who have been victims of the old systems will have greater access to education and training options that can prepare them for new opportunities and lift them out of poverty.



Action Plan Component: ENGAGING ALL STAKEHOLDERS





Action Plan Component:

IMPLEMENT WELLNESS STRATEGIES

- Speak about strategies in a language shared and agreed upon by all stakeholders:
 - ✓ Range of Assets Youth Need
 - ✓ Set of Services, Supports and Opportunities
- ✓ Define a shared and comprehensive framework:
 - ✓ Education
 - ✓ Health
 - ✓ Fatherhood & Families
 - ✓ Employment & Wealth
 - ✓ Justice Rights, Responsibilities, and Opportunities
- Cross-systems coordination of services and alignment of policies





Action Component: DEVELOPING STRATEGIES

The National Research Council reinforced the need to support the development of a range of assets:

- Physical development
 - e.g., health habits, risk management skills
- Intellectual development
 - e.g., life skills, vocational skills, school success, critical thinking, decision making, navigation
- Psychological and emotional development
 - e.g., good mental health, positive self-regard, self-regulation, coping skills, autonomy, time use
- Social development
 - e.g., connectedness, sense of place, attachment to pro-social institutions, navigate cultural contexts, commitment to civic engagement



Action Component: DEVELOPING STRATEGIES

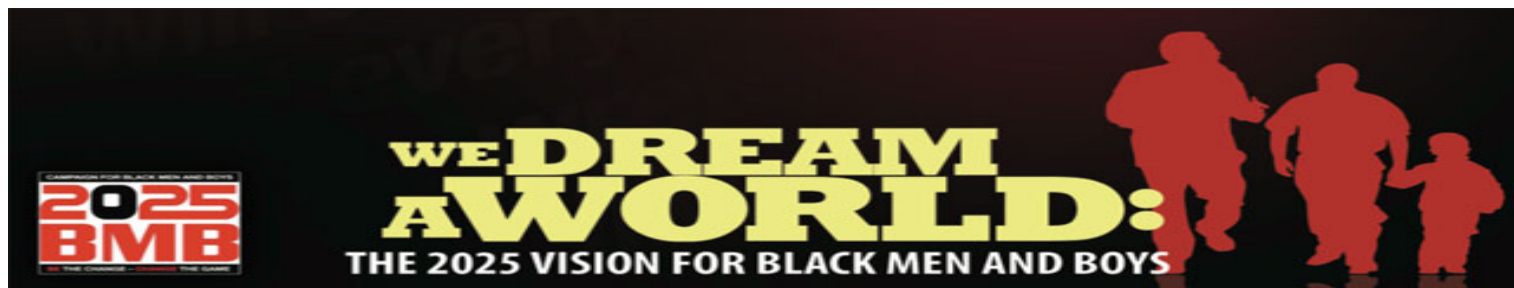
NRC suggests a set of supports that teens need to have in the settings where they spend time that reflect

- Physical and psychological safety
- Appropriate structure
- Supportive relationships
- Opportunities to belong
- Positive social norms
- Support for efficacy and mattering
- Opportunities for skill building
- Integration of family, school and community efforts



Action Plan Component:

IMPLEMENT WELLNESS STRATEGIES



- ✓ Assemble a broad range of strategies for black men and boys:
 - ✓ Education
 - ✓ Health
 - ✓ Fatherhood & Families
 - ✓ Employment & Wealth
 - ✓ Justice Rights, Responsibilities, and Opportunities
- ✓ Please visit: www.bmb.org for details on broad strategies



Action Plan Component: DEVELOPING STRATEGIES

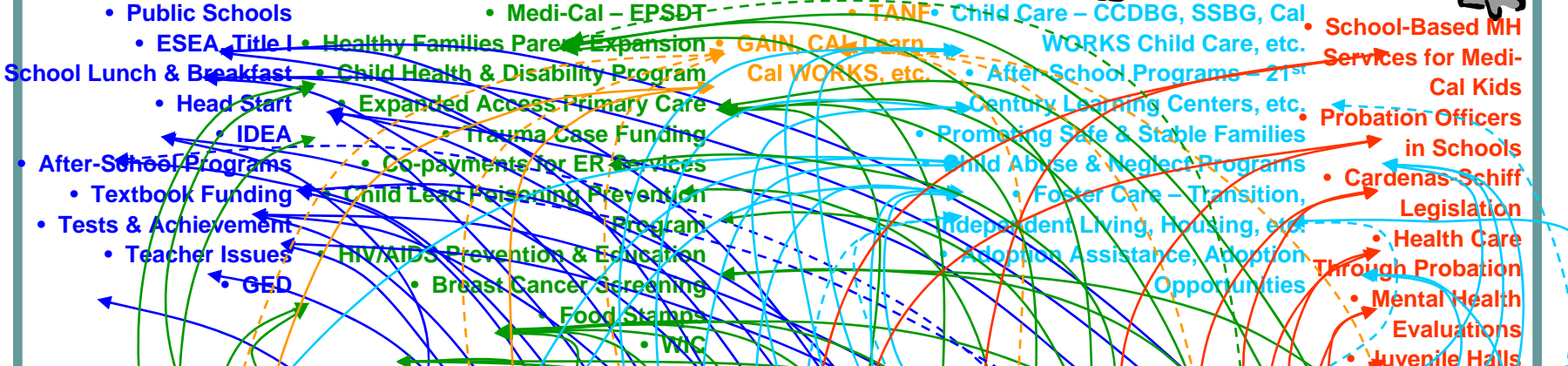
Education

Health & Food

Social Services

Child & Family Services

Mental Health & Probation



Mom



Dad

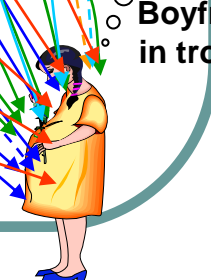


9 year old



5 year old

Baby 1 1/2



Mom's sister

Boyfriend in trouble



Leaders' roles – 5 Cs and a P

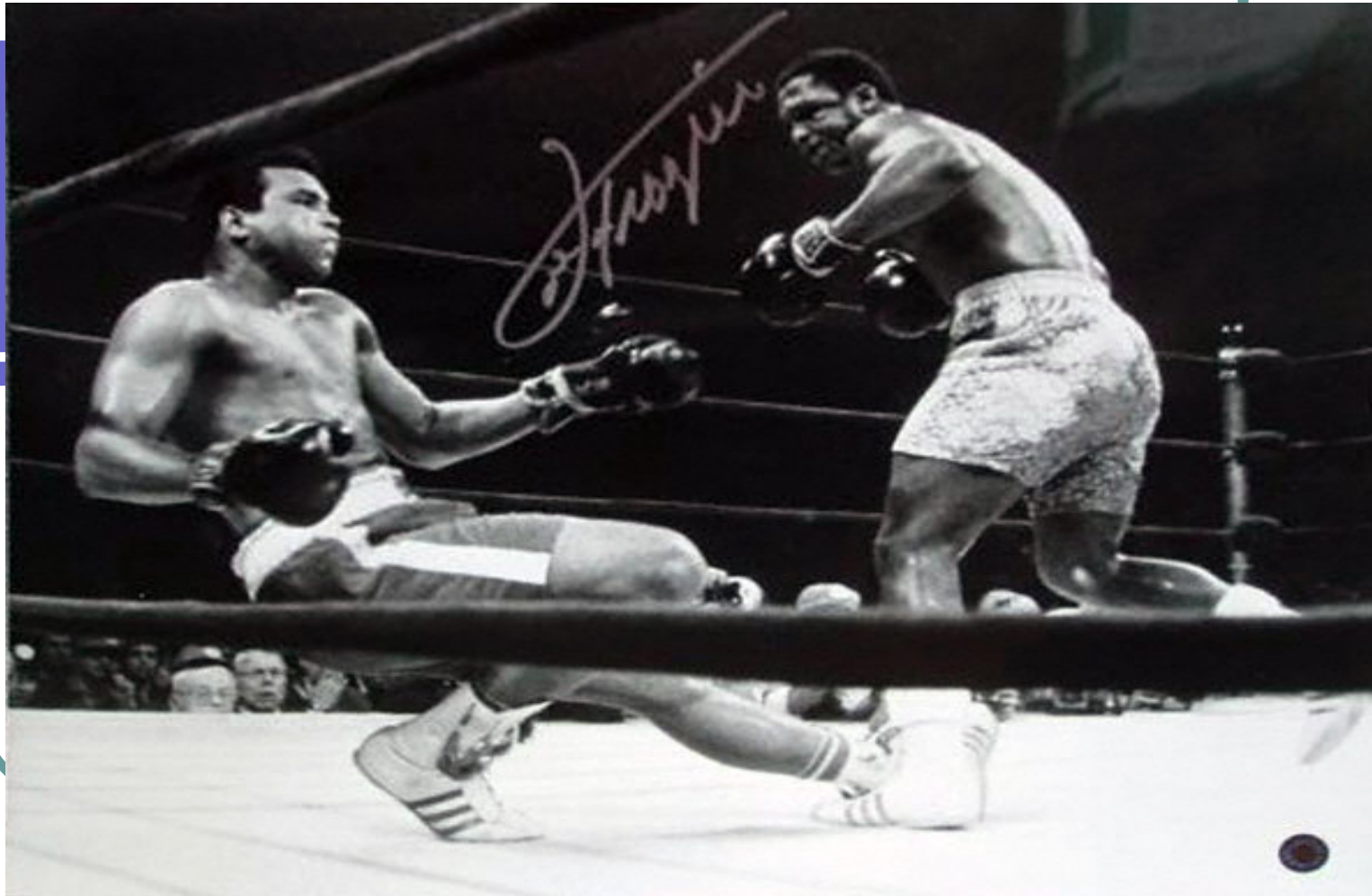
- Conceptualizing – vision
- Convening
- Commissioning – research, intermediaries
- Co-financing
- Cross-walking – with counties, school districts, foundations, businesses
- Promoting



Where does a community start?

- Recruit leadership
- Convene stakeholders
- Assess strengths/needs
- Involve youth
- Use existing resources
- Build public awareness and support

What Does Winning Look Like?



Campaign for Black Male Achievement



National League of Cities' Institute for Youth, Education, and Families

Municipal Leadership for Black Male Achievement:

Leon T. Andrews, Jr

Senior Fellow

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202-626-3039





Legislation Details (With Text)

File #: 110116 **Version:** 0

Type: Communication **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Sponsors: THE CHAIR

Indexes: CITY ATTORNEY, CONSULTANTS

Attachments: Hearing Notice List, Cover letter, Expenditures for Outside Counsel & Experts

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
110116
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Requestor

Drafter
CC-CC
jp
5/10/11

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
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MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
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CHRISTINE M. QUINN
Assistant City Attorneys

May 11, 2011

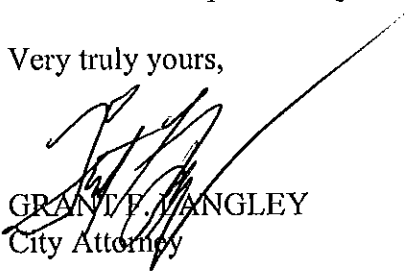
Alderman Ashanti Hamilton, Chair
Judiciary & Legislation Committee
City Hall -- Room 205

Re: Expenditures for Outside Counsel and Experts

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083, I am enclosing for your information an itemization of 2011 expenditures posted year-to-date from the Outside Counsel/Expert Witness Fund Special Purpose Account. Please contact me if you have any questions.

Very truly yours,



GRANT F. LANGLEY
City Attorney

Enclosures
GFL:bgw
#169200

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

2011 OUTSIDE/EXPERT EXPENDITURES

May 11, 2011

Account	Dept	Class	Amount	Vendor Name	Case or Matter	Year
634005	1490	S157	1,836.00	BLOCK, PETER	JUDE v. CITY	2011
634005	1490	S157	1,596.00	BLOCK, PETER	JUDE v. CITY	2011
634005	1490	S157	1,659.00	BLOCK, PETER	JUDE v. CITY	2011
634005	1490	S157	1,881.00	BLOCK, PETER	JUDE v. CITY	2011
634005	1490	S157	1,602.00	BLOCK, PETER	JUDE v. CITY	2011
634005	1490	S157	1,737.00	BLOCK, PETER	JUDE v. CITY	2011
634005	1490	S157	1,596.00	BLOCK, PETER	ADJ TO PO 0000132314	2011
634005	1490	S157	-1,596.00	BLOCK, PETER	JUDE v. CITY	2011
			10,311.00	TOTAL		
634005	1490	S157	289.42	GRZECA LAW GROUP	QADAH, DIAB	2011
634005	1490	S157	10.01	GRZECA LAW GROUP	KHUBBAR, MANJEET	2011
634005	1490	S157	166.88	GRZECA LAW GROUP	QADAH, DIAB	2011
634005	1490	S157	9.79	GRZECA LAW GROUP	KHUBBAR, MANJEET	2011
634005	1490	S157	200.75	GRZECA LAW GROUP	QADAH, DIAB	2011
			676.85	TOTAL		
634005	1490	S157	65.00	GUNTA REAK	JACOBY v. DUDLEY	2011
634005	1490	S157	2,256.10	GUNTA REAK	JUDE v. CITY (BELMORE)	2011
634005	1490	S157	-2,256.10	GUNTA REAK	ADJ TO PO 0000126445	2011
634005	1490	S157	2,256.10	GUNTA REAK	Jude v. City	2011
			2,321.10	TOTAL		
634005	1490	S157	401.50	HARLEY, GREG	Haas v COM trial testimony	2011
			401.50	TOTAL		
634005	1490	S157	3,026.60	HAYES, THOMAS	OUTSIDE CONSULTANT	2011
			3,026.60	TOTAL		

2011 OUTSIDE/EXPERT EXPENDITURES

May 11, 2011

Account	Dept	Class	Amount	Vendor Name	Case or Matter	Year
634005	1490	S157	40,600.00	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2011
634005	1490	S157	175.00	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2011
634005	1490	S157	1,137.50	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2011
			41,912.50	TOTAL		
634005	1490	S157	303.75	WEBER, ROBERT	GRABOWSKI V VOLKERT (Expert testimony)	2011
			303.75	TOTAL		
			58,953.30	GRAND TOTAL		



Legislation Details (With Text)

File #: 110030 **Version:** 0
Type: Communication-Report **Status:** In Committee
File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Communication from the City Attorney relating to semiannual reports as to the determination and disposition of all claims pending and closed and litigation matters closed through December 31, 2010.
Sponsors: THE CHAIR
Indexes: CITY ATTORNEY, CLAIMS, LITIGATION, REPORTS AND STUDIES
Attachments: Cover Letter, Claims and Litigation Closed, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
110030
Version
ORIGINAL

Reference:
100586

Sponsor:
THE CHAIR

Title:
Communication from the City Attorney relating to semiannual reports as to the determination and disposition of all claims pending and closed and litigation matters closed through December 31, 2010.

Requestor:
CITY ATTORNEY

Drafter:
BGW
4/27/11

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
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Assistant City Attorneys

April 20, 2011

Alderman, Ashanti Hamilton, Chair
Judiciary and Legislation Committee
City Hall – Room 205

Re: Semi-Annual Claims & Litigation Reports

Dear Alderman Hamilton:

Pursuant to your letter of June 9, 2005 and Section 304-7, Milw. Code of Ordinances, ss. 2(f) requesting the submission of semi-annual reports as to the determination and disposition of all claims filed during the preceding period, the following reports are being submitted for the Committee's review. The first report *Semi-Annual Report of Claims Closed and Pending from July 1, 2010 through December 31, 2010* lists the following information:

Total number of claims pending - 858
Total number of claims closed - 272
Total amount of claims denied - 113
Total amount of settlements - \$172,669.17

Also, attached is the *Semi-Annual Report of Litigation Closed and Pending from July 1, 2010 through December 31, 2010* that lists the following information:

Total number of cases pending - 466
Total number of cases closed - 281
Total number of cases closed without payment - 254¹
Total number of cases settled - 20
Total amount of settlements - \$336,231.96
Total amount of settlements against the City - \$311,358.25
Total number of settlements against the City - 17
Total amount of settlements for the City - \$24,873.71
Total number of settlements for the City - 3

¹ 27 cases closed with payment: some payments were made prior to 7/1/2010 but closed between 7/1/2010 and 12/31/10.

Ald. Ashanti Hamilton

April 20, 2011

Page 2

Total number of cases resulting in judgments - 0

Total amount of judgments - 0

Total number of judgments against the City - 0

Total amount of judgments against the City - 0

Total number of judgments for the City -

Total amount of judgments for the City - 0

Please feel free to contact me if you have any questions.

Very truly yours,

GRANT F. LANGLEY

City Attorney

GFL:bw

#168588

All Claims Closed July 1, 2010 thru Dec 31, 2010 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Category: Large Claim								
Arterbridge, Mary	Department of Neighborhood Services	Property Damage - Tree	9,705.81	N	7,350.00	N	N	N
Evans, Sr., Boston	Infrastructure Services Division	Sewer Backup - Maintenance	14,446.00	N	4,000.00	N	N	N
Evans, Starmonekia	Water Works	Vehicle Damage - Other	5,021.10	Y	2,258.36	N	N	N
Scott, Donald and Mary	Water Works	Slip and Fall - Maintenance	7,365.00	N	1,800.00	N	N	N
W/E Energies (2008193109)	Water Works	Other	6,340.80	N	5,000.00	N	N	N
Totals: 5			42,878.71		20,408.36			

All Claims Closed July 1, 2010 thru Dec 31, 2010 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date') and Status Date <= Ask User ('Status Date') and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Category: Small Claim								
Allen, Geraldine	Infrastructure Services Division	Sewer Backup - Maintenance	2,364.00	N	2,364.00	N	N	N
Anaya, Rosalba	Infrastructure Services Division	Vehicle Damage - Other	650.50	N	650.50	N	N	N
AT&T (25201004-50-0048)	Water Works	Property Damage - Other	3,450.95	N	3,450.95	N	N	N
AT&T (25201004-50-0057)	Infrastructure Services Division	Property Damage - Other	1,331.13	N	1,331.13	N	N	N
Bergman, Jr., Kermit W.	Water Works	Property Damage - Other	606.92	N	606.92	N	N	N
Bermudez, Concepcion	Forestry Division	Vehicle Damage - Tree	216.48	N	216.48	N	N	N
Campbell, Karen	Department of Public Works - General	Vehicle Damage - Other	1,043.11	N	1,043.11	N	N	N
Davis, LeRoy & Jean	Milwaukee Public Library	Vehicle Damage - Other	826.61	N	826.61	N	N	N
Deal, Shaun & Michelle	Forestry Division	Property Damage - Other	275.00	N	275.00	N	N	N
Flattery, Daniel	Towing Operations - DPVW	Towing - Property Damage	135.00	N	135.00	N	N	N
Freeman, Renee	Infrastructure Services Division	Vehicle Damage - Road Defect	720.39	Y	720.39	N	N	N
George, Olanrewaju	Towing Operations - DPVW	Towing - Car Destroyed w/o Notice	980.00	Y	980.00	N	N	N

All Claims Closed July 1, 2010 thru Dec 31, 2010 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date' ?) and Status Date <= Ask User ('Status Date' ?) and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Gibson, Lakesha	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,576.43	N	1,576.43	N	N	N
Grace, Johanna	Towing Operations - DPW	Towing - Other	0.00	N	57.95	N	N	N
Jessup, Annemarie	Water Works	Property Damage - Other	969.50	N	969.50	N	N	N
Johnson, Latesha	Infrastructure Services Division	Bodily Injury - Other	36,623.15	N	5,000.00	N	N	N
Knollenberg, David	Infrastructure Services Division	Vehicle Damage - Other	343.20	Y	343.20	N	N	N
Lewis, Tiffany	Infrastructure Services Division	Vehicle Damage - Other	258.73	N	258.73	N	N	N
Perry, Ricky L.	Towing Operations - DPW	Towing - Car Destroyed w/o Notice	3,512.62	N	1,809.60	N	N	N
Rakowiecki, Jen	Water Works	Property Damage - Other	1,635.92	N	1,635.92	N	N	N
Roundtree, Candace	Forestry Division	Property Damage - Other	240.00	N	240.00	N	N	N
Scherer, John	Infrastructure Services Division	Sewer Backup - Maintenance	495.00	N	495.00	N	N	N
Schultz, Jeffrey A.	Police Department	Police - Property Damage	625.00	N	625.00	N	N	N
Schwitzer, Michael	Towing Operations - DPW	Towing - Property Damage	89.22	N	89.22	N	N	N
Simmms, II, Donald	Police Department	Police - Lost Property	2,459.99	N	1,300.00	N	N	N

All Claims Closed July 1, 2010 thru Dec 31, 2010 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= AskUser ('Status Date ?') and Status Date <= AskUser ('Status Date ?') and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
WE Energies (2009214680)	Infrastructure Services Division	Property Damage - Other	16,251.18	N	13,000.00	N	N	N
WE Energies (2010220022)	Forestry Division	Property Damage - Other	705.12	N	705.12	N	N	N
Wilson, Leonard	Milwaukee Public Library	Property Damage - Other	398.19	N	420.85	N	N	N
Zagorski, Gwen	Sanitation Division	Property Damage - Other	39.04	N	39.04	N	N	N
Zsido, Barbara	City of Milwaukee	Vehicle Accident City - Bodily Injury	4,018.28	N	3,616.45	N	N	Y
Totals: 30			82,840.66		44,782.10			

All Claims Closed July 1, 2010 thru Dec 31, 2010 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Category: Vehicle Claim								
Alanis, Merardo	Support Services Division - Fleet	Vehicle Accident City - Property Damage	2,444.64	N	2,444.64	N	N	N
Celichowski, Michelle	Police Department	Vehicle Accident City - Property Damage	5,359.47	N	4,288.00	N	N	N
Chaparro Aleman, Yesenia	Support Services Division - Fleet	Vehicle Accident City - Bodily Injury	42,479.00	N	18,500.00	N	N	N
Colony Ridge Homeowners Association	Support Services Division - Fleet	Property Damage By City Vehicle	85.00	N	85.00	N	N	N
Dalley, Phyllis	Support Services Division - Fleet	Vehicle Accident City - Property Damage	343.20	N	343.20	N	N	N
Davis, Jacqueline	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,808.28	N	1,808.28	N	N	N
Dietrich, Paul & Patricia	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,712.12	N	1,712.12	N	N	N
Eaton, Arble	Milwaukee Fire Department	Vehicle Accident City - Property Damage	1,499.06	N	1,519.06	N	N	N
Eaton, Vanessa	Milwaukee Fire Department	Vehicle Accident City - Bodily Injury	20.00	N	20.00	N	N	N
Enterprise Rent-A-Car	Support Services Division - Fleet	Vehicle Accident City - Property Damage	709.71	N	542.92	N	N	N
Ford, Kenneth	Support Services Division - Fleet	Property Damage By City Vehicle	475.00	N	475.00	N	N	N

All Claims Closed July 1, 2010 thru Dec 31, 2010 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Gouthro, Joseph & Judy	Support Services Division - Fleet	Property Damage By City Vehicle	5,758.98	N	1,100.00	N	N	N
Graham-Bender, Glenda	Support Services Division - Fleet	Property Damage - Other	1,250.00	N	1,250.00	N	N	N
Hampton, Kizzy K.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,143.74	N	1,143.74	N	N	N
Harrell, Catrina	Support Services Division - Fleet	Vehicle Accident City - Bodily Injury	10,000.00	N	5,000.00	N	N	Y
Herdeman, Patrick W.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	4,259.67	N	3,052.31	N	N	N
Higgins, Doron & Tiffany M.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,644.41	N	1,644.41	N	N	N
Hohler, Raymond	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,167.52	N	1,167.52	N	N	N
Janssen-Molenda Funeral Home	Support Services Division - Fleet	Vehicle Accident City - Property Damage	8,555.16	N	8,529.16	N	N	N
Karas, Jay	Police Department	Vehicle Accident City - Property Damage	1,150.52	N	1,151.52	N	N	N
Krug, Shirley	Support Services Division - Fleet	Vehicle Accident City - Property Damage	336.95	N	336.95	N	N	N
Kubenik, Sarah	Milwaukee Fire Department	Vehicle Accident City - Property Damage	1,004.41	N	1,004.41	N	N	N

All Claims Closed July 1, 2010 thru Dec 31, 2010 and Disposition

Area of Law = 'Claims' and Status = 'Closed and Status Date' = Ask User ('Status Date' ?) and Status Date <= Ask User ('Status Date' ?) and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Liang, Jun	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,796.84	N	1,797.00	N	N	N
Logemann Brothers Company	Support Services Division - Fleet	Property Damage By City Vehicle	395.00	N	395.00	N	N	N
Malecki, Courtney	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,965.29	N	1,965.29	N	N	N
Mayfair Rent-A-Car	Support Services Division - Fleet	Vehicle Damage - Other	5,415.84	N	5,415.84	N	N	N
Moody, Shameya	Support Services Division - Fleet	Vehicle Accident City - Bodily Injury	25,000.00	N	8,500.00	N	N	N
Neal, Starr	Police Department	Vehicle Accident City - Bodily Injury	6,597.19	N	4,200.00	N	N	N
Obiora, Ngozi	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,798.58	N	1,798.58	N	N	N
Prado, Noemi	Support Services Division - Fleet	Vehicle Accident City - Property Damage	654.51	N	654.51	N	N	N
Quince, Wanda	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,430.93	N	1,430.93	N	N	N
Rios, Luis M.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,910.00	N	1,910.00	N	N	N
Romero, Maria	Police Department	Vehicle Accident City - Property Damage	1,304.16	N	900.00	N	N	N

All Claims Closed July 1, 2010 thru Dec 31, 2010 and Disposition

Area of Law = Claims and Status = Closed and Status Date >= Ask User (Status Date ?) and Status Date <= Ask User (Status Date ?) and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Ross, Deborah	Support Services Division - Fleet	Vehicle Damage - Other	2,591.58	N	2,591.58	N	N	N
Ross, LaQuita	Support Services Division - Fleet	Vehicle Accident City - Property Damage	3,202.16	N	1,150.00	N	N	N
Ruiz, Jose	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,628.34	N	814.17	N	N	N
Schiefelbein, Tammy	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,610.00	N	1,427.07	N	N	N
Schoesser, Jim	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,645.43	N	1,645.43	N	N	N
Singleton, Shelby	Police Department	Vehicle Accident City - Property Damage	863.81	N	863.81	N	N	N
St. Mark's Episcopal Church	Support Services Division - Fleet	Property Damage - Other	450.00	N	450.00	N	N	N
Sussex, Anita	Milwaukee Fire Department	Vehicle Accident City - Property Damage	342.24	N	342.24	N	N	N
Tuttle, George	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,195.00	N	400.00	N	N	N
Washington, Reese	Milwaukee Fire Department	Vehicle Accident City - Property Damage	2,000.00	N	974.26	N	N	N
Wetzel, Lori	Support Services Division - Fleet	Vehicle Accident City - Property Damage	2,146.48	N	2,146.48	N	N	N

All Claims Closed July 1, 2010 thru Dec 31, 2010 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date ?') and Status Date <= Ask User ('Status Date ?') and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Wisconsin Department of Transportation (69797)	Police Department	Vehicle Accident City - Property Damage	6,335.88	N	6,335.88	N	N	N
Yang, Blong	Support Services Division - Fleet	Vehicle Accident City - Property Damage	3,077.69	N	2,252.40	N	N	N
Totals: 46			168,563.79		107,478.71			
Totals: 81			294,283.16		172,669.17			

Litigation Judgments & Settlements - July 1 thru Dec 31, 2010

(Area of Law = 'litigation', 'litigation - appeal', 'litigation - Real Estate Tax Collector', 'administrative proceedings') and Matters:Qdamages.Date Paid >= 7/1/10 and Matters:Qdamages.Date Paid <= 12/31/10

<u>Matter Description</u>	<u>Date Paid</u>	<u>Settlement Amount</u>	<u>Settlement Against City/Client?</u>	<u>Settlement for City/Client?</u>	<u>Judgment Amount</u>	<u>Judgment Against City/Client?</u>	<u>Judgment for City/Client?</u>
Asphy, Changela v. City of Milwaukee; Jones, Bartholomew; Sentry Insurance; American Standard Ins. Co.	7/6/2010	2,250.00	Y / N	N / N	0.00	N / N	N / N
Vehicle Accident - Bodily Injury							
Baker, Berita L.; United HealthCare Insurance Company v. City of Milwaukee; City of Milwaukee Police Department; Porter, Sherri L.	11/12/2010	33,000.00	Y / N	N / N	0.00	N / N	N / N
Vehicle Accident - Bodily Injury							
Bell Ambulance, Inc.; The Cincinnati Insurance Company v. City of Milwaukee; Holton, Douglas A.; Vossekuil, Andrew J.	11/19/2010	25,000.00	Y / N	N / N	0.00	N / N	N / N
Vehicle Accident - Property Damage							
Bridges, Brianna v. RLI Insurance Company; Johnson School Bus Service, Inc.; Pate, Pamela; City of Milwaukee; Holifield, Alfred	9/20/2010	2,000.00	Y / N	N / N	0.00	N / N	N / N
Vehicle Accident - Bodily Injury							
City of Milwaukee v. Camp, Dresser & McKee, Inc.	7/19/2010	15,000.00	/	N / Y	0.00	/	/
Lincoln Creek Flood Management Project Contract							
Dupree, Lisa; Estate of McCollum, Willie C. v. City of Milwaukee; Underwood, Karen D.	7/12/2010	4,528.00	Y / N	N / N	0.00	N / N	N / N
Vehicle Accident - Bodily Injury							
Franklin, Frederick v. MBSB	12/8/2010	22,700.00	N / Y	N / N	0.00	N / N	N / N
General Casualty Insurance Company; Nice, Tony v. City of Milwaukee	11/29/2010	12,000.00	Y / N	N / N	0.00	N / N	N / N
Bodily Injury - Other							
Grandberry, Lakesha; United Healthcare of Wisconsin, Inc. v. City of Milwaukee;	9/27/2010	8,500.00	Y / N	N / N	0.00	N / N	N / N

Litigation Judgments & Settlements - July 1 thru Dec 31, 2010

(Area of Law = 'litigation', 'litigation - appeal', 'litigation - Real Estate Tax Collection', 'administrative proceedings') and Matters/Damages Date Paid >= 7/1/10 and Matters/Damages Date Paid <= 12/31/10

<u>Matter Description</u>	<u>Date Paid</u>	<u>Settlement Amount</u>	<u>Settlement Against City/Client?</u>	<u>Settlement for City/Client?</u>	<u>Judgment Amount</u>	<u>Judgment Against City/Client?</u>	<u>Judgment for City/Client?</u>
Leffler, Craig F. Vehicle Accident - Bodily Injury	8/2/2010	10,516.00	Y / N	N / N	0.00	N / N	N / N
Johnson, Thomas v. Griffin, Latura S.; City of Milwaukee Vehicle Accident - Uninsured Motorist	11/4/2010	2,506.97	N / N	Y / N	0.00	N / N	N / N
Kapitz, Lisa; Kapitz, Frank; City of Milwaukee v. Fields, Lynn L.; American Family Insurance Workers Compensation - Subrogation	7/12/2010	75,000.00	Y / N	N / N	0.00	N / N	N / N
MacDonald, Michele; Cosey, Earl v. City of Milwaukee; Awadallah, Ala PO; Huber, Kathleen M. PO Police - Civil Rights Search & Seizure/Unlawful-Unreasonable	7/12/2010	20,000.00	Y / N	N / N	0.00	N / N	N / N
Milwaukee Gay Arts Center, Inc. v. City of Milwaukee; et al. Declaratory Relief Civil Rights - Freedom of Speech Licensing	11/16/2010	7,366.74	N / N	N / Y	0.00	N / N	N / N
Mitz, Merle K.; Mitz, Howard B. v. Morgan, Elizabeth N.; Milwaukee Public Schools Workers Compensation - Subrogation	7/6/2010	30,000.00	Y / N	N / N	0.00	N / N	N / N
Rades, Angela M.; Rades, Shad v. Kotecki, Michael T.; City of Milwaukee; et al. Vehicle Accident - Bodily Injury	7/21/2010	25,000.00	Y / N	N / N	0.00	N / N	N / N
Smith, Benjamin J. v. Wilson, Chareese D.; City of Milwaukee Vehicle Accident - Uninsured Motorist	7/6/2010	5,605.00	Y / N	N / N	0.00	N / N	N / N

Matters Report Title: Litigation Jud/Set - July 1 - Dec 31, 2010

Litigation Judgments & Settlements - July 1 thru Dec 31, 2010

(Area of Law = 'litigation', 'litigation - appeal', 'litigation - Real Estate Tax Collector', 'administrative proceedings') and Matters-Damages.Date Paid >= 7/1/10 and Matters-Damages.Date Paid <= 12/31/10

<u>Matter Description</u>	<u>Date Paid</u>	<u>Settlement Amount</u>	<u>Settlement Against City/Client?</u>	<u>Settlement for City/Client?</u>	<u>Judgment Amount</u>	<u>Judgment Against City/Client?</u>	<u>Judgment for City/Client?</u>
Milwaukee; Department of Public Works Sanatation; Jones, Bartholomew; Sentry Insurance; Blue Cross Blue Shield of Wisconsin							
Vehicle Accident - Bodily Injury							
Vehicle Accident - Property Damage							
Stanis, Ronald C. v. City of Milwaukee "Sign Ordinance"	12/1/2010	12,759.25	Y / N	N / N	0.00	N / N	N / N
Declaratory Relief							
Injunctive Relief							
Civil Rights - Freedom of Speech							
Stautner, Brittany M.; Kearns, Madara; Kearns, Donald v. Ferguson, Tara M.; City of Milwaukee; United Healthcare Insurance Company	11/19/2010	20,000.00	Y / N	N / N	0.00	N / N	N / N
Vehicle Accident - Bodily Injury							
Wheeler, Reginald H. v. City of Milwaukee	7/8/2010	2,500.00	Y / N	N / N	0.00	N / N	N / N
Vehicle Damage - Road Defect							
Total Cases: 20		Total Settlement Amount: 336,231.96			Total Judgment Amount: 0.00		



Legislation Details (With Text)

File #: 110081 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/3/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Intergovernmental Relations Division-Department of Administration to seek passage of state legislation changing food license expiration dates.

Sponsors: ALD. BOHL

Indexes: FOOD DEALERS, INTERGOVERNMENTAL RELATIONS DIVISION, LICENSES, STATE LEGISLATION

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
110081
Version
ORIGINAL
Reference

Sponsor
ALD. BOHL

Title
Resolution directing the Intergovernmental Relations Division-Department of Administration to seek passage of state legislation changing food license expiration dates.

Analysis
This resolution directs the Intergovernmental Affairs Division-Department of Administration to develop and seek passage of legislation by the Wisconsin Legislature to allow the issuance of a retail food establishment license by a City of the First Class at any time during the year which license shall be valid for one year expiring on a specified date.

State law currently provides that all food establishment licenses expire on June 30. This requires the City to process as many as 3,500 renewal applications at the same time each year.

The Wisconsin Legislature has made an exception in the licensing of alcohol beverage establishments authorizing a City of the First Class to issue a license at any time during the year. The license is valid for one year and expires on a date specified in the license. Alcohol beverage license renewals are therefore processed in a more orderly fashion. The legislation sought by this resolution would provide a similar exception.

Body
Whereas, Section 97.30(2)(a), Wis. Stats., provides that all retail food establishment licenses expire

on June 30 of each year; and

Whereas, The Health Department acts as an agent of the Wisconsin Department of Agriculture, Trade and Consumer Protection for issuing food licenses and making investigations or inspection of retail food establishments by agreement under s. 97.41(1m), Wis. Stats.; and

Whereas, Approximately 3,500 retail food establishments are licensed by the City including all restaurants, food and espresso carts, bakeries, coffee bars, delicatessens, grocery stores, convenience stores, candy stores, bed and breakfasts, taverns and bars, food markets, liquor stores and special event vendors; and

Whereas; The volume of food establishment licenses that are subject to annual renewal procedures at the same time place an extraordinary burden on the resources of the Health Department, the License Division of the City Clerk and the Licenses Committee of the Common Council; and

Whereas, The health and safety of the public require careful scrutiny of food license renewals, especially in circumstances where investigation or inspection reveals a potential hazard to public health and where complaints by members of the public relating to the operation of a retail food establishment establish cause for responsible review; and

Whereas, The Wisconsin Legislature has recognized in s. 125.04(11)(b), Wis. Stats., that a City of the First Class may more effectively review and process a high volume of license renewals for alcohol beverage license establishments by providing an exception to allow the expiration of annual licenses to be staggered throughout the year based upon the date of issue of an initial license; and

Whereas, The interests of the City in promoting the health and safety of the public will be furthered by allowing interested members of the public more orderly access to the food establishment license review process; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Affairs Division-Department of Administration is directed to develop and seek passage of legislation by the Wisconsin Legislature to allow the issuance of a retail food establishment license by a City of the First Class at any time during the year which license shall be valid for one year expiring on a specified date.

Drafter
LRB124919-1
Richard L. Withers
5/2/2011



Legislation Details (With Text)

File #: 100991 **Version:** 1

Type: Ordinance **Status:** In Committee

File created: 11/23/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: A substitute ordinance relating to revision of various provisions for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

Sponsors: THE CHAIR

Indexes: REVISORS BILL

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/13/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0

Number
100991
Version
SUBSTITUTE 1
Reference
100208
Sponsor
THE CHAIR
Title

A substitute ordinance relating to revision of various provisions for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

Sections

- 59-7-2 am
- 60-29-2 am
- 68-4.6-1 am
- 81-55 rp
- 87-1-7 am
- 87-2-5-0 am
- 87-2-7-a-0 am
- 90-4-7.9-e am
- 90-4-11-c-4 am
- 90-37-1 am
- 90-37-2-a rn
- 90-37-2-b rp
- 92-10-2.5 rp
- 95-2-4-a am

95-14-3-b-7	am
95-14-3-f-1	am
101-5.5-6	rp
109-5-4-h	rp
109-5-4-i	rp
112	rp
115-32-1-d	rp
200-22.5-4	am
200-53-10	am
340-1-6	rp

Analysis

This ordinance revises various provisions of the code for purposes of revising errors, clarifying language and eliminating obsolete provisions.

Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 59-7-2 of the code is amended to read:

59-7. Right of Entry and Examination.

2. SPECIAL INSPECTION WARRANT. If any person~~[[;]]~~ >>₁<< or occupant, or other person in charge of a building, structure, premises or conveyance refuses, impedes, inhibits, interferes with entry and free access to inspection authorized by sub. 1, the commissioner may apply for and obtain a special warrant pursuant to s. 66.0119, Wis. Stats., as amended.

Part 2. Section 60-29-2 of the code is amended to read:

60-29. Food Peddler Basic Permit.

2. For each pushed, ~~[[peddled]]~~ >>pedaled<< or pulled vehicle: \$117.

Part 3. Section 68-4.6-1 of the code is amended to read:

68-4.6. Meal Service Establishments.

1. The application is fully and accurately completed and is accompanied by the fee set forth in s. ~~[[60-21-9]]~~ >>60-21-5<<.

Part 4. Section 81-55 of the code is repealed.

Part 5. Section 87-1-7 of the code is amended to read:

87-1. Pool and Billiard Table Licenses.

7. VIOLATIONS.

b. Revocation. The common council may revoke the license of any person licensed under this section for any of the reasons set forth in s. 87-2-7, and the common council shall issue an order to such licensee to appear before it or its ~~[[utilities and licenses]]~~ >>licensing<< committee and show cause why the license should not be revoked.

Part 6. Section 87-2-5-0 and 7-a-0 of the code is amended to read:

87-2. Pool and Billiard Hall License.

5. HEARINGS. The general health, safety and welfare of the public is of primary concern to the common council. The application for a license may be denied as to a particular location within the city whenever the common council finds that the location and physical layout of the premises are

such and the layout characteristics are such that it is against the health, safety and general welfare of the public to permit the operation of a billiard hall at that location. Any premises declared to be unsafe by the written report of the commissioner of neighborhood services, or a fire hazard by the written report of the fire chief shall be deemed ineligible for a license. In determining whether or not a license should be issued, a hearing shall be held before issuance by the common council or >>licensing<< committee ~~[[on utilities and licenses]]~~. At ~~[[such]]~~ >>the<< hearing the following factors shall be considered:

7. REVOCATION OF LICENSE.

a. The common council may suspend or revoke the license of any licensee for cause, after notice to the licensee and a hearing before the council or its ~~[[utilities and licenses]]~~ >>licensing<< committee, on any of the following grounds:

Part 7. Section 90-4-7.9-e of the code is amended to read:

90-4. Classification of Licenses.

7.9. PERMANENT EXTENSION OF PREMISES.

e. Committee Action. The licensing committee shall hold a hearing on whether or not to grant each application for a permanent extension of licensed premises ~~[[for special events]]~~. If any interested person objects to the granting of a particular application, ~~[[then]]~~ the licensee shall receive at least 3 ~~[[days]]~~ >>days<< notice of the hearing date and the nature of the objection to the application. The applicant shall have an opportunity to appear at the hearing and be represented by counsel and to cross-examine witnesses opposed to the granting of the application for permanent extension of the licensed premises, and to present evidence in favor of the granting of the application. At the conclusion of the hearing, the committee shall make a recommendation to the common council on whether to grant the application. In making its recommendation, the committee may consider, among other factors, the appropriateness of the location for which a permanent extension of licensed premises is sought, whether ~~[[such]]~~ >>the<< location will create an adverse impact on other property in the neighborhood, and any other factors which reasonably relate to the public health, safety and welfare. The common council shall act on the committee's recommendation without further hearing.

Part 8. Section 90-4-11-c-4 of the code is amended to read:

11. CLASS "D" PROVISIONAL OPERATOR'S LICENSE.

c-4. The applicant has not been denied a Class "B" manager's or Class "D" operator's license, or has not had his or her Class "B" or Class "D" license not renewed ~~[[,any]]~~ within the preceding 12 months.

Part 9. Section 90-37-1 of the code is amended to read:

90-37. Centers for the Visual and Performing Arts. 1. FINDINGS. The Wisconsin state statutes create the designation "centers for the visual and performing arts" and ~~[[exempts]]~~ >>exempt<< them from certain restrictions relating to the presence of underage persons on licensed Class "B" alcohol beverage premises. The state statutes do not, however, provide a definition for "centers for the visual and performing arts". The prevention of the underage consumption of alcohol and the regulation of alcohol beverage premises where underage persons congregate is a primary concern of the common council, given its responsibility to protect its most vulnerable residents. The common council finds, therefore, that it is essential to define and license "centers for the visual and performing arts" to help ensure the health, safety and welfare of the people of the city of Milwaukee and, in this light, to grant this license infrequently and only after careful consideration, review and deliberation.

Part 10. Section 90-37-2-a of the code is renumbered 90-37-2-0.

Part 11. Section 90-37-2-b of the code is repealed.

Part 12. Section 92-10-2.5 of the code is repealed.

Part 13. Section 95-2-4-a of the code is amended to read:

95-2. Transient Merchants.

4. ISSUANCE; QUALIFICATIONS OF LICENSEES; POSTING.

a. ~~[[All licenses shall be issued from a bound book with proper reference stubs kept for the purpose, numbered in the order in which they are issued and]]~~ >>Each license<< shall state clearly the kind of goods, wares and merchandise to be sold, disposed of or contracted for, the ~~[[dates]]~~ >>date<< of issuance and expiration of the license, the fee paid and the name and address of the licensee, and the date of revocation of ~~[[all licenses]]~~ >>any license<< revoked.

Part 14. Section 95-14-3-b-7 and f-1 of the code is amended to read:

95-14. Home Improvement Contractor and Salesperson Licenses.

3. APPLICATION.

b.

b-7. The date of birth of the ~~[[applicants]]~~ >>applicant<<.

f. Changes, Transfers.

f-1. Changes to be Reported. All persons licensed under this section shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form within ~~[[5]]~~ >>10<< days after the change occurs.

Part 15. Section 101-5.5-6 of the code is repealed.

Part 16. Section 109-5-4-h and i of the code is repealed.

Part 17. Chapter 112 of the code is repealed.

Part 18. Section 115-32-1-d of the code is repealed.

Part 19 . Section 200-22.5-4 of the code is amended to read:

200-22.5. Registration of Residential Properties Pending Foreclosure.

4. NOTIFICATION OF ABANDONED RESIDENTIAL PROPERTY.

If, inspection of the residential property required under sub. 3 shows the property is abandoned, the filing parties shall notify the commissioner of the abandoned state of the property >>within 5 working days<< on a form prescribed by the commissioner that includes a description of the external condition of the property and whether there is an accessible structure on the property. The notification form shall identify the agent or servicing company, if any, that is authorized by the filing party to enter upon the property and to conduct repairs or maintenance as required in sub. 5-a.

Part 20. Section 200-53-10 of the code is amended to read:

200-53. Residential Rental Certificate.

10. REVOCATION. A certificate of residential rental code compliance may be revoked at the discretion of the commissioner if violations which are considered to be an unfit or unsafe condition pursuant to sub.~~[[7-a]]~~ >>6-d<<are observed during a complaint investigation.

Part 21. Section 340-1-6 of the code is repealed.

Part 22. Part 11 of File Number 100208 is repealed.

LRB
APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____
Attorney
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date: _____

Requestor
City Clerk-Legislative Reference Bureau
Drafter
LRB123577-2
Teodros W. Medhin/lp
5/6/11



Legislation Details (With Text)

File #: 101564 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 4/12/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to legislative bills.

Sponsors: THE CHAIR

Indexes: FEDERAL LEGISLATION, STATE LEGISLATION

Attachments: Agenda 5-16-11, Sub Amend and JCF Changes to Voter ID Bill (AB 7), AB-7, AB-92, SB-90.pdf, AB-126.pdf, Conceal Carry SB-90_AB-126.pdf, SB-93.pdf, Conceal Carry SB-93.pdf, Conceal Carry Comparison Discussion (3).pdf

Date	Ver.	Action By	Action	Result	Tally
4/12/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101564
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relative to legislative bills.
Drafter
IRD
Mo
4/8/11

LEGISLATIVE HEARING CALENDAR

COMMITTEE ON JUDICIARY-LEGISLATION

MONDAY, MAY 16, 2011 AT 1:30 PM

Room 301-B City Hall

- AB-7** **Requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, absentee voting procedure in certain residential care apartment complexes and adult family homes, identification cards issued by the Department of Transportation, creating an identification certificate issued by the Department of Transportation, requiring the exercise of rule-making authority, and providing a penalty.**
- AB-92** **Eliminating the enrollment cap for the Milwaukee Parental Choice Program and extending the program to permit private schools located in Milwaukee County to participate.**
- SB-90/
AB-126** **Carrying a concealed weapon; licenses authorizing persons to carry concealed weapons; possessing or transporting a firearm, bow, or crossbow under certain circumstances; disorderly conduct limitations; photographic identification cards for former law enforcement officers; providing an exemption from emergency rule procedures; requiring the exercise of rule-making authority; making appropriations; and providing penalties. (License/Permit)**
- SB-93** **Going armed with weapons, possessing or transporting a firearm, bow, or crossbow under certain circumstances, disorderly conduct limitations, and electric weapons. (Constitutional)**

Assembly Substitute Amendment and JCF Changes to Voter ID Bill (AB 7)

- Major differences from AB- 7
 - The following additional items are considered eligible identification under the bill:
 - U.S. Passport
 - A certificate of U.S. naturalization less than two years old
 - An unexpired driving or identification card receipt
 - ID issued by an accredited Wisconsin Indian tribe
 - Student ID
 - Must contain signature and contain an expiration date indicating the card expires no later than two years after the date of issuance if the individual establishes that he or she is enrolled as a student on the date the card is presented
 - Initial applicability for most of the bill will be the 2012 spring primary election. For elections held prior to spring 2012, electors will still be requested to present proof of identification but there is no penalty if the elector fails to do so. Election officials are to also provide information to electors who do not present proof of identification to prepare them to provide proof of identification at future elections
 - An elector, with certain exceptions, must also enter his or her signature on the poll list or other separate list when voting in person at a polling place
 - This requirement goes into effect upon passage
 - Under current law, an individual must be a resident of this state and of the municipality and ward for 10 days before an election to be eligible to vote. The bill would increase this durational residency requirement to 28 consecutive days
 - An elector may continue to vote at their previous location if they do not meet the 28 day requirement
 - This requirement goes into effect upon passage
 - The bill would eliminate the authority for any elector other than an overseas or military elector to vote a straight party ticket
 - The bill changes the deadline for late registration in person at the office of a municipal clerk or board of election commissioners from 5 p.m. the day before the election to 5 p.m. or the close of business the Friday before the election
 - The bill changes the duration of in-person absentee balloting to the 3rd Monday preceding an election and ending at 5 p.m. or the close of business on the Friday preceding an election
 - The bill removes the ability of the GAB to appoint special registration deputies
 - Electors who register to vote must provide a current residence and the location of the previous residence
 - Requires that voter registration forms must contain a statement that the falsification of information on the form is punishable as a Class I felony
 - Requires that an elector residing in a nursing home, CBRF, retirement home, adult family home, or residential care apartment who is voting absentee without the assistance of a Special Voting Deputy to submit a statement signed by an individual witnessing the absentee ballot and a certification by an authorized representative of the facility



2011 ASSEMBLY BILL 7

January 27, 2011 – Introduced by Representatives STONE, TAUCHEN, HONADEL, J. OTT, VOS, PRIDEMORE, BERNIER, LEMAHIEU, AUGUST, SPANBAUER, KRAMER, PETERSEN, ZIEGELBAUER, KESTELL, RIPP, VAN ROY, KERKMAN, JACQUE, LITJENS, NASS, KAUFERT, STRACHOTA, STEINEKE, KAPENGA, KRUG, FARROW, KNODL, KLEEFISCH, KOOYENGA, BALLWEG, ENDSLEY, RIVARD, THIESFELDT, A. OTT, PETRYK, WILLIAMS, SEVERSON, WYNN, KNUDSON, KUGLITSCH, PETROWSKI, NYGREN, MEYER, TIFFANY, BIES, KNILANS, J. FITZGERALD and KLENKE, cosponsored by Senators LEIBHAM, LAZICH, VUKMIR, KAPANKE, GROTHMAN, DARLING, GALLOWAY, WANGGAARD, KEDZIE, ELLIS, ZIPPERER, OLSEN, SCHULTZ, MOULTON, LASEE, COWLES, HOPPER, HARSDORF, S. FITZGERALD and CARPENTER. Referred to Committee on Election and Campaign Reform.

1 **AN ACT** *to repeal* 6.56 (5), 12.13 (3) (v) and 343.50 (4g); *to renumber* 6.79 (3);
2 *to renumber and amend* 6.87 (4) and 6.97 (3); *to amend* 5.35 (6) (a) 2., 5.35
3 (6) (a) 4a., 5.35 (6) (a) 4a., 6.15 (1), 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.15 (2) (d) 1r.,
4 6.15 (3), 6.15 (3), 6.29 (1), 6.29 (2) (a), 6.33 (1), 6.33 (2) (b), 6.34 (2), 6.55 (2) (b),
5 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.79 (2) (a), 6.79 (2) (a),
6 6.79 (2) (d), 6.79 (2) (d), 6.79 (3) (title), 6.79 (3) (title), 6.79 (3) (b), 6.79 (4), 6.79
7 (6), 6.79 (6), 6.82 (1) (a), 6.82 (1) (a), 6.86 (1) (ac), 6.86 (1) (ar), 6.86 (1) (ar), 6.86
8 (3) (a) 1., 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.869, 6.869, 6.87 (3) (d), 6.87 (4) (b) 1.,
9 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 5., 6.875 (title), 6.875 (2) (a), 6.875 (3)
10 and (4), 6.875 (6) (a) and (b), 6.875 (6) (c) 1., 6.875 (6) (c) 1., 6.875 (6) (c) 2., 6.875
11 (6) (e), 6.875 (7), 6.88 (3) (a), 6.88 (3) (a), 6.97 (title), 6.97 (1), 6.97 (1), 6.97 (2),
12 6.97 (2), 6.97 (3) (a), 6.97 (3) (b), 6.97 (3) (c), 7.08 (8) (title), 7.08 (12), 7.52 (3) (a),
13 7.52 (3) (a), 10.02 (3) (form) (a), 10.02 (3) (form) (a), 12.03 (2) (b) 3., 12.13 (2) (b)
14 6m., 85.103 (2), 134.71 (8) (a) 2., 139.30 (4n), 165.8287 (2), 165.8287 (3) (d),

ASSEMBLY BILL 7

1 343.19 (title), 343.19 (2) (intro.), 343.235 (title), 343.237 (title), 343.237 (6),
2 343.43 (2), subchapter V (title) of chapter 343 [precedes 343.50], 343.50 (3),
3 343.50 (4), 343.50 (5) (a) 1. and 343.50 (6); **to repeal and recreate** 343.19 (1),
4 343.22 (2), 343.22 (2m), 343.22 (3), 343.237 (2), 343.237 (3) (intro.), 343.50 (3),
5 343.50 (4), 343.50 (5) (a) 1. and 343.50 (6); and **to create** 6.15 (2) (bm), 6.15 (2)
6 (d) 1g., 6.79 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b)
7 4., 6.87 (4) (b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965, 6.97 (3) (a), 6.97
8 (3) (c), 7.08 (12), 125.085 (1) (f), 343.19 (2) (c), 343.50 (4g) and 343.505 of the
9 statutes; **relating to:** requiring certain identification in order to vote at a
10 polling place or obtain an absentee ballot, verification of the addresses of
11 electors, absentee voting procedure in certain residential care apartment
12 complexes and adult family homes, identification cards issued by the
13 Department of Transportation, creating an identification certificate issued by
14 the Department of Transportation, requiring the exercise of rule-making
15 authority, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, any person who is a U.S. citizen, who is at least 18 years of age, and who has resided in a ward or election district in this state for at least ten days before the election at which the person is voting may vote in that ward or election district at that election unless the person is disqualified from voting, in certain cases specified by law, as the result of a felony conviction or an adjudication of incompetency. With limited exceptions, a person must register before voting and in certain cases must provide proof of residence. With certain limited exceptions, before being permitted to vote at any polling place, an eligible elector currently must provide his or her name and address. If the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If an elector is not able to present any required proof of residence, as an alternative, current law permits an elector's registration information to be corroborated by another qualified elector who resides in the same municipality. In addition, an elector other than a military elector or an overseas elector, as defined by federal law, who registers by mail and who has not voted in an election in this state must provide one of the forms

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of identification specified by federal law, or a copy thereof if voting by absentee ballot, in order to be permitted to vote. Corroboration may not be substituted for this identification requirement, but an elector who cannot provide the required identification may cast a provisional ballot. The municipal clerk or board of election commissioners must determine whether electors casting provisional ballots are qualified to vote by 4 p.m. on the day after an election.

With certain limited exceptions, this bill requires each eligible elector who attempts to register or to vote at the polls on election day to present a valid Wisconsin driver's license issued to the person by the Department of Transportation (DOT), a valid, current identification card issued to the person by a U.S. uniformed service, or a valid Wisconsin identification card issued to the person by DOT or, if DOT implements the provisions of the federal REAL ID Act, an identification certificate issued to the person by DOT (see below). A person whose address is confidential as a result of domestic abuse, sexual assault, or stalking or in certain cases a person who has been required by a law enforcement officer to surrender his or her license (see below) is exempted from the requirement. Under the bill, any person who applies for an absentee ballot, except a military or overseas elector, as defined by federal law, or a person whose address is confidential as a result of domestic abuse, sexual assault, or stalking, must also provide a copy of the license or identification card, unless: 1) the person has already provided a copy of his or her license or identification card in connection with an absentee ballot cast at a previous election and has not changed his or her name or address since that election; 2) the person has been required by a law enforcement officer to surrender his or her license (see below); 3) the person is indefinitely confined, in which case the person may submit a statement signed by the person who witnesses his or her absentee ballot verifying his or her identity; or 4) the person is an occupant of any nursing home, or is an occupant of a community-based residential facility, retirement home, adult family home, or residential care apartment complex where a municipality sends special voting deputies, in which case the person may submit a statement signed by the deputies verifying his or her identity. The bill continues current requirements for certain electors to provide proof of residence in order to register or to vote, but discontinues the use of corroborating electors to verify residence. Under the bill, if a person who votes at a polling place fails to provide a license or identification card, the person may vote provisionally. If a person votes by absentee ballot and fails to provide a copy of the license or identification card, unless exempted from the requirement, the ballot is treated as a provisional ballot. A provisional ballot is marked by the poll workers, who immediately contact the municipal clerk or board of election commissioners. The person may then provide the required identification either at the polling place before the closing hour or at the office of the clerk or board. If the person does not provide the required identification to the clerk or board by 4 p.m. on the day following the election, the person's vote is not counted. If a person receives a citation from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of an election and is required to surrender his or her Wisconsin operator's license at the time the citation is issued, the elector may present an original copy of the citation or notice of intent to revoke or suspend the elector's operator's license in lieu of his

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or her operator's license or, if the elector is voting an absentee ballot by mail, may enclose a copy of the citation or notice in lieu of a copy of his or her operator's license. In this case, the bill provides that the elector's ballot is received and counted if otherwise valid, but the ballot is marked so it can be identified during the canvassing and recount process if the validity of the ballot is questioned.

The bill also directs the Government Accountability Board, in conjunction with the first regularly scheduled primary and election at which the voter identification requirements created by the bill initially apply, to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements created by the bill. In addition, the bill directs the board to conduct an ongoing outreach effort to identify and contact groups of electors who may need assistance in obtaining or renewing licenses or identification cards for voting purposes and to provide assistance in obtaining or renewing those licenses or identification cards.

The bill also permits an elector who is eligible to obtain a Wisconsin identification card to obtain the card from DOT free of charge, if the elector specifically requests not to be charged. The bill permits an applicant to receive a Wisconsin identification card without a photograph being taken, as currently required, if the applicant provides an affidavit stating that he or she has sincerely held religious beliefs against being photographed, that he or she is a member of a religious organization or identifies with the tenets of a religious organization and names that organization, that the religious tenets of that organization prohibit such photographing, and that he or she requests the identification card for the purpose of voting.

Under 2007 Wisconsin Act 20 (the biennial budget act), certain provisions specified in the federal REAL ID Act are incorporated into state law when DOT provides notice that it is ready to implement the federal REAL ID Act. Among these provisions is the requirement that each operator's license and identification card include a photograph.

This bill creates an identification certificate to be issued by DOT beginning at the time that DOT implements the provisions of the federal REAL ID Act. A person is eligible for an identification certificate if the person provides the same information that an elector is required to provide in order to register to vote and signs a statement affirming that the information is correct. Identification certificates must be the same size as an operator's license but must be of a design that is readily distinguishable from the design of operator's licenses and identification cards. Each identification certificate must bear the words "IDENTIFICATION CERTIFICATE." As required by the federal REAL ID Act, identification certificates must clearly state on their face that they may not be accepted by any federal agency for federal identification or any other official purpose and must use a unique design or color indicator to alert federal agency and other law enforcement personnel that they may not be accepted for any such purpose. Each identification certificate must include a color photograph unless the identification certificate applicant provides an affidavit containing specified information, including that the applicant has a sincerely held religious belief against being photographed. An identification certificate is valid for eight years and the fee

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for an identification certificate is \$18 unless the applicant requests that the identification certificate be issued without charge.

The bill treats an identification certificate similarly to an identification card for some purposes and differently from an identification card for other purposes. The security standards for issuance of an identification certificate are not as strict as the standards applicable to an identification card after implementation of the federal REAL ID Act. However, when used for purposes of voting, an identification certificate has the same status as an identification card, as described above. Upon implementation of the provisions of the federal REAL ID Act, DOT may no longer issue an identification card without a photograph and a person may no longer obtain an identification card from DOT free of charge.

Currently, municipalities must send two special voting deputies (one designated by each major political party if the party wishes) to conduct absentee voting in nursing homes. Municipalities may also send the deputies to conduct absentee voting in community-based residential facilities and retirement homes that qualify for the service in accordance with standards prescribed by law. This bill permits municipal clerks and boards of election commissioners to send two special voting deputies to conduct absentee voting in adult family homes and residential care apartment complexes that qualify for the service in accordance with similar standards prescribed by law.

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.** 5.35 (6) (a) 2. of the statutes is amended to read:

2 5.35 **(6)** (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)
3 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (~~v~~) and (x), together with the applicable
4 penalties provided in s. 12.60 (1).

5 **SECTION 2.** 5.35 (6) (a) 4a. of the statutes is amended to read:

6 5.35 **(6)** (a) 4a. Instructions prescribed by the board for electors for whom a
7 license or identification card is required under s. 6.79 (2) or for whom proof of
8 residence under s. 6.34 is required under s. 6.55 (2).

9 **SECTION 3.** 5.35 (6) (a) 4a. of the statutes, as affected by 2011 Wisconsin Act
10 (this act), is amended to read:

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1 5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a
2 license ~~or~~ identification card, or identification certificate is required under s. 6.79 (2)
3 or for whom proof of residence under s. 6.34 is required under s. 6.55 (2).

4 **SECTION 4.** 6.15 (1) of the statutes is amended to read:

5 6.15 (1) QUALIFICATIONS. Any person who was or who is ~~a qualified~~ an eligible
6 elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state
7 for less than 10 days prior to the date of the presidential election, is entitled to vote
8 for the president and vice president but for no other offices. The fact that the person
9 was not registered to vote in the state from which he or she moved does not prevent
10 voting in this state if the elector is otherwise qualified.

11 **SECTION 5.** 6.15 (2) (bm) of the statutes is created to read:

12 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
13 person at the office of the municipal clerk, each applicant shall present a valid
14 operator's license issued to the person under ch. 343, a valid, current identification
15 card issued to the person by a U.S. uniformed service, or a valid identification card
16 issued to the person under s. 343.50. If any document presented by the applicant is
17 not proof of residence under s. 6.34, the applicant shall also present proof of residence
18 under s. 6.34.

19 **SECTION 6.** 6.15 (2) (bm) of the statutes, as created by 2011 Wisconsin Act ...
20 (this act), is amended to read:

21 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
22 person at the office of the municipal clerk, each applicant shall present a valid
23 operator's license issued to the person under ch. 343, a valid, current identification
24 card issued to the person by a U.S. uniformed service, ~~or~~ a valid identification card
25 issued to the person under s. 343.50, or a valid identification certificate issued to the

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1 person under s. 343.505. If any document presented by the applicant is not proof of
2 residence under s. 6.34, the applicant shall also present proof of residence under s.
3 6.34.

4 **SECTION 7.** 6.15 (2) (d) 1g. of the statutes is created to read:

5 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
6 municipal clerk, the clerk shall verify that the name on the license or identification
7 card provided by the elector under par. (bm) is the same as the name on the elector's
8 application and shall verify that any photograph appearing on that document
9 reasonably resembles the elector.

10 **SECTION 8.** 6.15 (2) (d) 1g. of the statutes, as created by 2011 Wisconsin Act
11 (this act), is amended to read:

12 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
13 municipal clerk, the clerk shall verify that the name on the license or identification
14 card, or identification certificate provided by the elector under par. (bm) is the same
15 as the name on the elector's application and shall verify that any photograph
16 appearing on that document reasonably resembles the elector.

17 **SECTION 9.** 6.15 (2) (d) 1r. of the statutes is amended to read:

18 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,
19 the municipal clerk shall ~~require the elector to provide proof of residence under s.~~
20 ~~6.34. If the elector cannot provide proof of residence, the elector may have his or her~~
21 ~~residence corroborated in a statement that is signed by another elector of the~~
22 ~~municipality and that contains the current street address of the corroborating~~
23 ~~elector. If the residence is corroborated by another elector, that elector shall then~~
24 ~~provide proof of residence under s. 6.34~~ permit the elector to cast his or her ballot for
25 president and vice president. The elector shall then mark the ballot in the clerk's

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1 presence in a manner that will not disclose his or her vote. The elector shall then fold
2 the ballot so as to conceal his or her vote. The clerk or elector shall then place the
3 ballot in an envelope furnished by the clerk.

4 **SECTION 10.** 6.15 (3) of the statutes is amended to read:

5 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the
6 polling place for the ward or election district where he or she resides and make
7 application for a ballot under sub. (2). Except as otherwise provided in this
8 subsection, an elector who casts a ballot under this subsection shall follow the same
9 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
10 The inspectors shall perform the duties of the municipal clerk, except that the
11 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk
12 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon
13 proper completion of the application and cancellation card and ~~submittal of proof of~~
14 ~~residence under s. 6.34 or providing corroboration of residence~~ verification of the
15 elector's license or identification card as provided in sub. (2) (d) 1g., the inspectors
16 shall permit the elector to cast his or her ballot for president and vice president. The
17 elector shall mark the ballot and, unless the ballot is utilized with an electronic
18 voting system, the elector shall fold the ballot, and deposit the ballot into the ballot
19 box or give it to the inspector. The inspector shall deposit it directly into the ballot
20 box. Voting machines or ballots utilized with electronic voting systems may only be
21 used by electors voting under this section if they permit voting for president and vice
22 president only.

23 **SECTION 11.** 6.15 (3) of the statutes, as affected by 2011 Wisconsin Act (this
24 act), is amended to read:

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1 **6.15 (3) PROCEDURE AT POLLING PLACE.** An eligible elector may appear at the
2 polling place for the ward or election district where he or she resides and make
3 application for a ballot under sub. (2). Except as otherwise provided in this
4 subsection, an elector who casts a ballot under this subsection shall follow the same
5 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
6 The inspectors shall perform the duties of the municipal clerk, except that the
7 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk
8 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon
9 proper completion of the application and cancellation card and verification of the
10 elector's license ~~or~~ identification card, or identification certificate as provided in sub.
11 (2) (d) 1g., the inspectors shall permit the elector to cast his or her ballot for president
12 and vice president. The elector shall mark the ballot and, unless the ballot is utilized
13 with an electronic voting system, the elector shall fold the ballot, and deposit the
14 ballot into the ballot box or give it to the inspector. The inspector shall deposit it
15 directly into the ballot box. Voting machines or ballots utilized with electronic voting
16 systems may only be used by electors voting under this section if they permit voting
17 for president and vice president only.

18 **SECTION 12.** 6.29 (1) of the statutes is amended to read:

19 **6.29 (1)** No names may be added to a registration list for any election after the
20 close of registration, except as authorized under this section or s. 6.55 (2) or 6.86 (3)
21 (a) 2. Any person whose name is not on the registration list but who is otherwise a
22 qualified elector is entitled to vote at the election upon compliance with this section,
23 if the person complies with all other requirements for voting at the polling place.

24 **SECTION 13.** 6.29 (2) (a) of the statutes is amended to read:

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1 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
2 a registration form or whose name does not appear on the registration list of the
3 municipality may register after the close of registration but not later than 5 p.m. or
4 the close of business, whichever is later, on the day before an election at the office of
5 the municipal clerk and at the office of the clerk's agent if the clerk delegates
6 responsibility for electronic maintenance of the registration list to an agent under
7 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
8 a registration form containing all information required under s. 6.33 (1). The
9 registration form shall also contain the following certification: "I, ..., hereby certify
10 that, to the best of my knowledge, I am a qualified elector, having resided at ... for
11 at least 10 days immediately preceding this election, and I have not voted at this
12 election". The elector shall also provide proof of residence under s. 6.34.
13 ~~Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the~~
14 ~~information contained in the registration form shall be corroborated in a statement~~
15 ~~that is signed by any other elector of the municipality and that contains the current~~
16 ~~street address of the corroborating elector. The corroborating elector shall then~~
17 ~~provide proof of residence under s. 6.34.~~ If the elector is registering after the close
18 of registration for the general election and the elector presents a valid driver's license
19 issued by another state, the municipal clerk or agent shall record on a separate list
20 the name and address of the elector, the name of the state, and the license number
21 and expiration date of the license.

22 **SECTION 14.** 6.33 (1) of the statutes is amended to read:

23 6.33 (1) The board shall prescribe the format, size, and shape of registration
24 forms. All forms shall be printed on cards and each item of information shall be of
25 uniform font size, as prescribed by the board. The municipal clerk shall supply

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1 sufficient forms to meet voter registration needs. The forms shall be designed to
2 obtain from each applicant information as to name; date; residence location;
3 citizenship; date of birth; age; the number of a valid operator's license issued to the
4 elector under ch. 343 or the last 4 digits of the elector's social security account
5 number; whether the applicant has resided within the ward or election district for
6 at least 10 days; whether the applicant has been convicted of a felony for which he
7 or she has not been pardoned, and if so, whether the applicant is incarcerated, or on
8 parole, probation, or extended supervision; whether the applicant is disqualified on
9 any other ground from voting; and whether the applicant is currently registered to
10 vote at any other location. The form shall include a space for the applicant's
11 signature ~~and the signature of any corroborating elector~~. The form shall include a
12 space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6)
13 or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form
14 and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,
15 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.
16 The form shall include a space for entry of the ward and aldermanic district, if any,
17 where the elector resides and any other information required to determine the offices
18 and referenda for which the elector is certified to vote. The form shall also include
19 a space where the clerk may record an indication of whether the form is received by
20 mail, a space where the clerk may record an indication of the type of identifying
21 document submitted by the elector as proof of residence under s. 6.34, whenever
22 required, and a space where the clerk, for any applicant who possesses a valid voting
23 identification card issued to the person under s. 6.47 (3), may record the
24 identification serial number appearing on the voting identification card. Each

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1 county clerk shall obtain sufficient registration forms for completion by an elector
2 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

3 **SECTION 15.** 6.33 (2) (b) of the statutes is amended to read:

4 6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall
5 be signed by the registering elector ~~and any corroborating elector under s. 6.29 (2)~~
6 ~~(a) or 6.55 (2)~~ before the clerk, issuing officer or registration deputy. The form shall
7 contain a certification by the registering elector that all statements are true and
8 correct.

9 **SECTION 16.** 6.34 (2) of the statutes is amended to read:

10 6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon~~ Upon
11 completion of a registration form prescribed under s. 6.33, each eligible elector who
12 is required to register under s. 6.27, who is not a military elector or an overseas
13 elector, and who registers after the close of registration under s. 6.29 or 6.86 (3) (a)
14 2., shall provide an identifying document that establishes proof of residence under
15 sub. (3). Each eligible elector who is required to register under s. 6.27, who is not a
16 military elector or an overseas elector, who registers by mail, and who has not voted
17 in an election in this state shall, if voting in person, provide an identifying document
18 that establishes proof of residence under sub. (3) or, if voting by absentee ballot,
19 provide a copy of an identifying document that establishes proof of residence under
20 sub. (3). If the elector registered by mail, the identifying document may not be a
21 residential lease.

22 **SECTION 17.** 6.55 (2) (b) of the statutes is amended to read:

23 6.55 (2) (b) Upon executing the registration form under par. (a), ~~the~~ except as
24 authorized under s. 6.79 (7), each elector shall be required by a special registration
25 deputy or inspector to present a valid operator's license issued to the elector under

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1 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
2 service, or a valid identification card issued to the elector under s. 343.50. If any
3 document presented is not proof of residence under s. 6.34, the elector shall also
4 provide proof of residence under s. 6.34. ~~If the elector cannot provide proof of~~
5 ~~residence, the information contained in the registration form shall be corroborated~~
6 ~~in a statement that is signed by any elector who resides in the same municipality as~~
7 ~~the registering elector and that contains the current street address of the~~
8 ~~corroborating elector. The corroborator shall then provide proof of residence as~~
9 ~~provided in s. 6.34.~~ If the elector is registering to vote in the general election and the
10 elector presents a valid driver's license issued by another state, the inspector or
11 deputy shall record on a separate list the name and address of the elector, the name
12 of the state, and the license number and expiration date of the license. The signing
13 by the elector executing the registration form and by any corroborator shall be in the
14 presence of the special registration deputy or inspector who shall then print his or
15 her name on and sign the form, indicating that the deputy or inspector has accepted
16 the form. Upon compliance with this procedure, the elector shall be permitted to cast
17 his or her vote, if the elector complies with all other requirements for voting at the
18 polling place.

19 **SECTION 18.** 6.55 (2) (b) of the statutes, as affected by 2011 Wisconsin Act
20 (this act), is amended to read:

21 6.55 **(2)** (b) Upon executing the registration form under par. (a), except as
22 authorized under s. 6.79 (7), each elector shall be required by a special registration
23 deputy or inspector to present a valid operator's license issued to the elector under
24 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
25 service, ~~or~~ a valid identification card issued to the elector under s. 343.50, or a valid

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1 identification certificate issued to the elector under s. 343.505. If any document
2 presented is not proof of residence under s. 6.34, the elector shall also provide proof
3 of residence under s. 6.34. If the elector is registering to vote in the general election
4 and the elector presents a valid driver's license issued by another state, the inspector
5 or deputy shall record on a separate list the name and address of the elector, the name
6 of the state, and the license number and expiration date of the license. The signing
7 by the elector executing the registration form and by any corroborator shall be in the
8 presence of the special registration deputy or inspector who shall then print his or
9 her name on and sign the form, indicating that the deputy or inspector has accepted
10 the form. Upon compliance with this procedure, the elector shall be permitted to cast
11 his or her vote, if the elector complies with all other requirements for voting at the
12 polling place.

13 **SECTION 19.** 6.55 (2) (c) 1. of the statutes is amended to read:

14 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
15 (a) and (b), the board of election commissioners, or the governing body of any
16 municipality may by resolution require a person who qualifies as an elector and who
17 is not registered and desires to register on the day of an election to do so at another
18 readily accessible location in the same building as the polling place serving the
19 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
20 instead of at the polling place serving the elector's residence. In such case, the
21 municipal clerk shall prominently post a notice of the registration location at the
22 polling place. The An eligible elector who desires to register shall execute a
23 registration form as prescribed under par. (a) and, except as authorized in s. 6.79 (7),
24 present a valid operator's license issued to the person under ch. 343, a valid, current
25 identification card issued to the person by a U.S. uniformed service, or a valid

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1 identification card issued to the person under s. 343.50. If any document presented
2 by the person is not acceptable proof of residence under s. 6.34, the person shall also
3 provide proof of residence as provided under s. 6.34. ~~If the elector cannot provide~~
4 ~~proof of residence, the information contained in the registration form shall be~~
5 ~~corroborated in the manner provided in par. (b).~~ If the elector a person is registering
6 to vote in the general election and the elector person presents a valid driver's license
7 issued by another state, the municipal clerk, deputy clerk, or special registration
8 deputy shall record on a separate list the name and address of the elector person, the
9 name of the state, and the license number and expiration date of the license. The
10 signing by the elector person executing the registration form ~~and by any corroborator~~
11 shall be in the presence of the municipal clerk, deputy clerk or special registration
12 deputy. The municipal clerk, the deputy clerk, or the special registration deputy
13 shall then print his or her name and sign the form, indicating that the clerk, deputy
14 clerk, or deputy has accepted the form. Upon proper completion of registration, the
15 municipal clerk, deputy clerk or special registration deputy shall serially number the
16 registration and give one copy to the elector person for presentation at the polling
17 place serving the elector's person's residence or an alternate polling place assigned
18 under s. 5.25 (5) (b).

19 **SECTION 20.** 6.55 (2) (c) 1. of the statutes, as affected by 2011 Wisconsin Act
20 (this act), is amended to read:

21 6.55 **(2)** (c) 1. As an alternative to registration at the polling place under pars.
22 (a) and (b), the board of election commissioners, or the governing body of any
23 municipality may by resolution require a person who qualifies as an elector and who
24 is not registered and desires to register on the day of an election to do so at another
25 readily accessible location in the same building as the polling place serving the

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1 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
2 instead of at the polling place serving the elector's residence. In such case, the
3 municipal clerk shall prominently post a notice of the registration location at the
4 polling place. An eligible elector who desires to register shall execute a registration
5 form as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a
6 valid operator's license issued to the person under ch. 343, a valid, current
7 identification card issued to the person by a U.S. uniformed service, ~~or~~ a valid
8 identification card issued to the person under s. 343.50, or a valid identification
9 certificate issued to the person under s. 343.505. If any document presented by the
10 person is not acceptable proof of residence under s. 6.34, the person shall also provide
11 proof of residence as provided under s. 6.34. If a person is registering to vote in the
12 general election and the person presents a valid driver's license issued by another
13 state, the municipal clerk, deputy clerk, or special registration deputy shall record
14 on a separate list the name and address of the person, the name of the state, and the
15 license number and expiration date of the license. The signing by the person
16 executing the registration form shall be in the presence of the municipal clerk,
17 deputy clerk or special registration deputy. The municipal clerk, the deputy clerk,
18 or the special registration deputy shall then print his or her name and sign the form,
19 indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon proper
20 completion of registration, the municipal clerk, deputy clerk or special registration
21 deputy shall serially number the registration and give one copy to the person for
22 presentation at the polling place serving the person's residence or an alternate
23 polling place assigned under s. 5.25 (5) (b).

24 **SECTION 21.** 6.55 (2) (c) 2. of the statutes is amended to read:

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1 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the
2 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors
3 of the proper polling place directing that the elector be permitted to cast his or her
4 vote if the elector complies with all requirements for voting at the polling place. The
5 clerk shall enter the name and address of the elector on the face of the certificate.
6 ~~If the elector's registration is corroborated, the clerk shall also enter the name and~~
7 ~~address of the corroborator on the face of the certificate.~~ The certificate shall be
8 numbered serially and prepared in duplicate. The municipal clerk shall preserve one
9 copy in his or her office.

10 **SECTION 22.** 6.56 (5) of the statutes is repealed.

11 **SECTION 23.** 6.79 (2) (a) of the statutes is amended to read:

12 6.79 (2) (a) Unless information on the poll list is entered electronically, the
13 municipal clerk shall supply the inspectors with 2 copies of the most current official
14 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
15 place. Except as provided in sub. subs. (6) and (7), each person eligible elector, before
16 receiving a serial number, shall state his or her full name and address and present
17 to the officials a valid operator's license issued to the elector under ch. 343, a valid,
18 current identification card issued to the elector by a U.S. uniformed service, or a valid
19 identification card issued to the elector under s. 343.50. The officials shall verify that
20 the name and address ~~provided~~ stated by the ~~person~~ elector are the same as the
21 ~~person's~~ elector's name and address on the poll list.

22 **SECTION 24.** 6.79 (2) (a) of the statutes, as affected by 2011 Wisconsin Act ...
23 (this act), is amended to read:

24 6.79 (2) (a) Unless information on the poll list is entered electronically, the
25 municipal clerk shall supply the inspectors with 2 copies of the most current official

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1 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
2 place. Except as provided in subs. (6) and (7), each eligible elector, before receiving
3 a serial number, shall state his or her full name and address and present to the
4 officials a valid operator's license issued to the elector under ch. 343, a valid, current
5 identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
6 identification card issued to the elector under s. 343.50, or a valid identification
7 certificate issued to the elector under s. 343.505. The officials shall verify that the
8 name and address stated by the elector are the same as the elector's name and
9 address on the poll list.

10 **SECTION 25.** 6.79 (2) (d) of the statutes is amended to read:

11 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
12 required and the document provided by the elector under par. (a) does not constitute
13 proof of residence under s. 6.34, the officials shall require the elector to provide proof
14 of residence. If proof of residence is provided, the officials shall verify that the name
15 and address on the identification document submitted as proof of residence provided
16 is the same as the name and address shown on the registration list. If proof of
17 residence is required and not provided, or if the elector does not present a license or
18 identification card under par. (a), whenever required, the officials shall offer the
19 opportunity for the elector to vote under s. 6.97.

20 **SECTION 26.** 6.79 (2) (d) of the statutes, as affected by 2011 Wisconsin Act ...
21 (this act), is amended to read:

22 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
23 required and the document provided by the elector under par. (a) does not constitute
24 proof of residence under s. 6.34, the officials shall require the elector to provide proof
25 of residence. If proof of residence is provided, the officials shall verify that the name

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1 and address on the document submitted as proof of residence provided is the same
2 as the name and address shown on the registration list. If proof of residence is
3 required and not provided, or if the elector does not present a license or identification
4 card, or identification certificate under par. (a), whenever required, the officials shall
5 offer the opportunity for the elector to vote under s. 6.97.

6 **SECTION 27.** 6.79 (3) (title) of the statutes is amended to read:

7 6.79 (3) (title) ~~REFUSAL TO GIVE NAME AND ADDRESS~~ PROVIDE NAME, ADDRESS,
8 LICENSE, OR IDENTIFICATION CARD.

9 **SECTION 28.** 6.79 (3) (title) of the statutes, as affected by 2011 Wisconsin Act
10 (this act), is amended to read:

11 6.79 (3) (title) ~~REFUSAL TO PROVIDE NAME, ADDRESS, LICENSE, OR IDENTIFICATION~~
12 ~~CARD~~ OR CERTIFICATE.

13 **SECTION 29.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

14 **SECTION 30.** 6.79 (3) (b) of the statutes is created to read:

15 6.79 (3) (b) If a license or identification card under sub. (2) is not provided by
16 the elector or if the name or any photograph appearing on the document that is
17 provided cannot be verified by the officials, the elector shall not be permitted to vote,
18 except as authorized under sub. (6) or (7), but if the elector is entitled to cast a
19 provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector
20 to vote under s. 6.97.

21 **SECTION 31.** 6.79 (3) (b) of the statutes, as created by 2011 Wisconsin Act
22 (this act), is amended to read:

23 6.79 (3) (b) If a license or identification card, or identification certificate under
24 sub. (2) is not provided by the elector or if the name or any photograph appearing on
25 the document that is provided cannot be verified by the officials, the elector shall not

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1 be permitted to vote, except as authorized under sub. (6) or (7), but if the elector is
2 entitled to cast a provisional ballot under s. 6.97, the officials shall offer the
3 opportunity for the elector to vote under s. 6.97.

4 **SECTION 32.** 6.79 (4) of the statutes is amended to read:

5 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of
6 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of
7 identifying document provided on the poll list, or separate list maintained under sub.
8 (2) (c). If the document submitted as proof of identity or residence includes a number
9 which applies only to the individual holding that document, the election officials
10 shall also enter that number on the list. ~~When any elector corroborates the~~
11 ~~registration identity or residence of any person offering to vote under s. 6.55 (2) (b)~~
12 ~~or (c), or the registration identity or residence of any person registering on election~~
13 ~~day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address~~
14 ~~of the corroborator next to the name of the elector whose information is being~~
15 ~~corroborated on the poll list, or the separate list maintained under sub. (2) (c).~~ When
16 any person offering to vote has been challenged and taken the oath, following the
17 person's name on the poll list, the officials shall enter the word "Sworn".

18 **SECTION 33.** 6.79 (6) of the statutes is amended to read:

19 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential
20 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47
21 (3), or give his or her name and identification serial number issued under s. 6.47 (3),
22 in lieu of stating his or her name and address and presenting a license or
23 identification card under sub. (2). If the elector's name and identification serial
24 number appear on the confidential portion of the list, the inspectors shall issue a

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1 voting serial number to the elector, record that number on the poll list and permit
2 the elector to vote.

3 **SECTION 34.** 6.79 (6) of the statutes, as affected by 2011 Wisconsin Act (this
4 act), is amended to read:

5 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential
6 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47
7 (3), or give his or her name and identification serial number issued under s. 6.47 (3),
8 in lieu of stating his or her name and address and presenting a license or
9 identification card, or identification certificate under sub. (2). If the elector's name
10 and identification serial number appear on the confidential portion of the list, the
11 inspectors shall issue a voting serial number to the elector, record that number on
12 the poll list and permit the elector to vote.

13 **SECTION 35.** 6.79 (7) of the statutes is created to read:

14 6.79 (7) LICENSE SURRENDER. If an elector receives a citation or notice of intent
15 to revoke or suspend an operator's license from a law enforcement officer in any
16 jurisdiction that is dated within 60 days of the date of an election and is required to
17 surrender his or her operator's license issued to the elector under ch. 343 at the time
18 the citation or notice is issued, the elector may present an original copy of the citation
19 or notice in lieu of an operator's license under ch. 343. In such case, the elector shall
20 cast his or her ballot under s. 6.965.

21 **SECTION 36.** 6.82 (1) (a) of the statutes is amended to read:

22 6.82 (1) (a) When any inspectors are informed that an eligible elector is at the
23 entrance to the polling place who as a result of disability is unable to enter the polling
24 place, they shall permit the elector to be assisted in marking a ballot by any
25 individual selected by the elector, except the elector's employer or an agent of that

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1 employer or an officer or agent of a labor organization which represents the elector.
2 The Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector
3 shall present to the inspectors a valid operator's license issued to the elector under
4 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
5 service, or a valid identification card issued to the elector under s. 343.50 and, if the
6 license or identification card does not constitute proof of residence under s. 6.34, shall
7 also provide proof of residence under s. 6.34 for the assisted elector, whenever
8 required, and all other information necessary for the elector to obtain a ballot under
9 s. 6.79 (2). The inspectors shall issue a ballot to the individual selected by the elector
10 and shall accompany the individual to the polling place entrance where the
11 assistance is to be given. If the ballot is a paper ballot, the assisting individual shall
12 fold the ballot after the ballot is marked by the assisting individual. The assisting
13 individual shall then immediately take the ballot into the polling place and give the
14 ballot to an inspector. The inspector shall distinctly announce that he or she has “a
15 ballot offered by (stating person's name), an elector who, as a result of disability,
16 is unable to enter the polling place without assistance”. The inspector shall then ask,
17 “Does anyone object to the reception of this ballot?” If no objection is made, the
18 inspectors shall record the elector's name under s. 6.79 and deposit the ballot in the
19 ballot box, and shall make a notation on the poll list: “Ballot received at poll
20 entrance”.

21 **SECTION 37.** 6.82 (1) (a) of the statutes, as affected by 2011 Wisconsin Act
22 (this act), is amended to read:

23 **6.82 (1) (a)** When any inspectors are informed that an eligible elector is at the
24 entrance to the polling place who as a result of disability is unable to enter the polling
25 place, they shall permit the elector to be assisted in marking a ballot by any

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1 individual selected by the elector, except the elector’s employer or an agent of that
2 employer or an officer or agent of a labor organization which represents the elector.
3 Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall
4 present to the inspectors a valid operator’s license issued to the elector under ch. 343,
5 a valid, current identification card issued to the elector by a U.S. uniformed service,
6 ~~or~~ a valid identification card issued to the elector under s. 343.50, or a valid
7 identification certificate issued to the elector under s. 343.505 and, if the license ~~or~~,
8 identification card, or identification certificate does not constitute proof of residence
9 under s. 6.34, shall also provide proof of residence under s. 6.34 for the assisted
10 elector, whenever required, and all other information necessary for the elector to
11 obtain a ballot under s. 6.79 (2). The inspectors shall issue a ballot to the individual
12 selected by the elector and shall accompany the individual to the polling place
13 entrance where the assistance is to be given. If the ballot is a paper ballot, the
14 assisting individual shall fold the ballot after the ballot is marked by the assisting
15 individual. The assisting individual shall then immediately take the ballot into the
16 polling place and give the ballot to an inspector. The inspector shall distinctly
17 announce that he or she has “a ballot offered by (stating person’s name), an elector
18 who, as a result of disability, is unable to enter the polling place without assistance”.
19 The inspector shall then ask, “Does anyone object to the reception of this ballot?” If
20 no objection is made, the inspectors shall record the elector’s name under s. 6.79 and
21 deposit the ballot in the ballot box, and shall make a notation on the poll list: “Ballot
22 received at poll entrance”.

23 **SECTION 38.** 6.86 (1) (ac) of the statutes is amended to read:

24 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application
25 to the municipal clerk for an official ballot by means of facsimile transmission or

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1 electronic mail. Any application under this paragraph shall contain a copy of the
2 applicant's original signature. An elector requesting a ballot under this paragraph
3 shall return with the voted ballot a copy of the request bearing an original signature
4 of the elector as provided in s. 6.87 (4) (b).

5 **SECTION 39.** 6.86 (1) (ar) of the statutes is amended to read:

6 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
7 issue an absentee ballot unless the clerk receives a written application therefor from
8 a qualified elector of the municipality. The clerk shall retain each absentee ballot
9 application until destruction is authorized under s. 7.23 (1). Except as authorized
10 in s. 6.79 (6) and (7), if a qualified elector applies for an absentee ballot in person at
11 the clerk's office, the clerk shall not issue the elector an absentee ballot unless the
12 elector presents a valid operator's license issued to the elector under ch. 343, a valid,
13 current identification card issued to the elector by a U.S. uniformed service, or a valid
14 identification card issued to the elector under s. 343.50. The clerk shall make a copy
15 of the document presented by the elector and shall enclose the copy in the certificate
16 envelope.

17 **SECTION 40.** 6.86 (1) (ar) of the statutes, as affected by 2011 Wisconsin Act
18 (this act), is amended to read:

19 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
20 issue an absentee ballot unless the clerk receives a written application therefor from
21 a qualified elector of the municipality. The clerk shall retain each absentee ballot
22 application until destruction is authorized under s. 7.23 (1). Except as authorized
23 in s. 6.79 (6) and (7), if a qualified elector applies for an absentee ballot in person at
24 the clerk's office, the clerk shall not issue the elector an absentee ballot unless the
25 elector presents a valid operator's license issued to the elector under ch. 343, a valid,

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1 current identification card issued to the elector by a U.S. uniformed service, or a valid
2 identification card issued to the elector under s. 343.50, or a valid identification
3 certificate issued to the elector under s. 343.505. The clerk shall make a copy of the
4 document presented by the elector and shall enclose the copy in the certificate
5 envelope.

6 **SECTION 41.** 6.86 (3) (a) 1. of the statutes is amended to read:

7 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply
8 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
9 for the hospitalized absent elector by presenting a form prescribed by the board and
10 containing the required information supplied by the hospitalized elector and signed
11 by that elector ~~and any other elector residing in the same municipality as the~~
12 ~~hospitalized elector, corroborating the information contained therein. The~~
13 ~~corroborating elector shall state on the form his or her full name and address. Except~~
14 as authorized for an elector who has a confidential listing under s. 6.47 (2) or as
15 authorized in s. 6.87 (4) (b) 4., the agent shall present the license or identification
16 card required under sub. (1) (ar). The clerk shall make a copy of the document
17 presented by the agent and shall enclose the copy in the certificate envelope.

18 **SECTION 42.** 6.86 (3) (a) 1. of the statutes, as affected by 2011 Wisconsin Act ...
19 (this act), is amended to read:

20 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply
21 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
22 for the hospitalized absent elector by presenting a form prescribed by the board and
23 containing the required information supplied by the hospitalized elector and signed
24 by that elector. Except as authorized for an elector who has a confidential listing
25 under s. 6.47 (2) or as authorized in s. 6.87 (4) (b) 4., the agent shall present the

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1 license ~~or~~ identification card, or identification certificate required under sub. (1) (ar).
2 The clerk shall make a copy of the document presented by the agent and shall enclose
3 the copy in the certificate envelope.

4 **SECTION 43.** 6.86 (3) (a) 2. of the statutes is amended to read:

5 6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register
6 by agent under this subdivision at the same time that the elector applies for an
7 official ballot by agent under subd. 1. To register the elector under this subdivision,
8 the agent shall present a completed registration form that contains the required
9 information supplied by the elector and the elector's signature, unless the elector is
10 unable to sign due to physical disability. In this case, the elector may authorize
11 another elector to sign on his or her behalf. Any elector signing a form on another
12 elector's behalf shall attest to a statement that the application is made on request
13 and by authorization of the named elector, who is unable to sign the form due to
14 physical disability. The agent shall present this statement along with all other
15 information required under this subdivision. ~~Except as otherwise provided in this~~
16 ~~subdivision, the~~ The agent shall ~~in every case~~ provide proof of the elector's residence
17 under s. 6.34. If the elector is registering to vote in the general election and the agent
18 presents a valid driver's license issued to the elector by another state, the municipal
19 clerk shall record on a separate list the name and address of the elector, the name
20 of the state, and the license number and expiration date of the license. ~~If the agent~~
21 ~~cannot present proof of residence, the registration form shall be signed and~~
22 ~~substantiated by another elector residing in the elector's municipality of residence,~~
23 ~~corroborating the information in the form. The form shall contain the full name and~~
24 ~~address of the corroborating elector. The agent shall then present proof of the~~
25 ~~corroborating elector's residence under s. 6.34.~~

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1 **SECTION 44.** 6.869 of the statutes is amended to read:

2 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
3 for absentee voters. The instructions shall include information concerning whether
4 a copy of a license or identification card is required under s. 6.86 (1) (ar) or 6.87 (4)
5 (b) and information concerning the procedure for correcting errors in marking a
6 ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the
7 extent possible, respect the privacy of each elector and preserve the confidentiality
8 of each elector's vote.

9 **SECTION 45.** 6.869 of the statutes, as affected by 2011 Wisconsin Act ...(this
10 act), is amended to read:

11 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
12 for absentee voters. The instructions shall include information concerning whether
13 a copy of a license ~~or~~ identification card, or identification certificate is required under
14 s. 6.86 (1) (ar) or 6.87 (4) (b) and information concerning the procedure for correcting
15 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The
16 procedure shall, to the extent possible, respect the privacy of each elector and
17 preserve the confidentiality of each elector's vote.

18 **SECTION 46.** 6.87 (3) (d) of the statutes is amended to read:

19 **6.87 (3) (d)** A municipal clerk may, if the clerk is reliably informed by an absent
20 elector of a facsimile transmission number or electronic mail address where the
21 elector can receive an absentee ballot, transmit a facsimile or electronic copy of the
22 absent elector's ballot to that elector in lieu of mailing under this subsection if, in the
23 judgment of the clerk, the time required to send the ballot through the mail may not
24 be sufficient to enable return of the ballot by the time provided under sub. (6). An
25 elector may receive an absentee ballot under this subsection only if the elector has

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1 filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an
2 absentee ballot under this paragraph, the clerk shall also transmit a facsimile or
3 electronic copy of the text of the material that appears on the certificate envelope
4 prescribed in sub. (2), together with instructions prescribed by the board. The
5 instructions shall require the absent elector to make and subscribe to the
6 certification as required under sub. (4) (b) and to enclose the absentee ballot in a
7 separate envelope contained within a larger envelope, that shall include the
8 completed certificate. The elector shall then affix sufficient postage unless the
9 absentee ballot qualifies for mailing free of postage under federal free postage laws
10 and shall mail the absentee ballot to the municipal clerk. Except as authorized in
11 s. 6.97 (2), an absentee ballot received under this paragraph shall not be counted
12 unless it is cast in the manner prescribed in this paragraph and in accordance with
13 the instructions provided by the board.

14 **SECTION 47.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended
15 to read:

16 **6.87 (4) (b) 1.** Except as otherwise provided in s. 6.875, the elector voting
17 absentee shall make and subscribe to the certification before one witness who is an
18 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the
19 ballot in a manner that will not disclose how the elector's vote is cast. The elector
20 shall then, still in the presence of the witness, fold the ballots so each is separate and
21 so that the elector conceals the markings thereon and deposit them in the proper
22 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the
23 ballot so that the elector conceals the markings thereon and deposit the ballot in the
24 proper envelope. If proof of residence is required Except as authorized in subds. 2.
25 to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), the elector shall enclose

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1 a copy of the license or identification card required under s. 6.86 (1) (ar) in the
2 envelope, unless the elector is a military elector or an overseas elector or the elector
3 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is
4 required and the document enclosed by the elector under this subdivision does not
5 constitute proof of residence under s. 6.34, the elector shall also enclose proof of
6 residence under s. 6.34 in the envelope. Proof of residence is required if the elector
7 is not a military elector or an overseas elector, ~~as defined in s. 6.34 (1),~~ and the elector
8 registered by mail and has not voted in an election in this state. If the elector
9 requested a ballot by means of facsimile transmission or electronic mail under s. 6.86
10 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an
11 original signature of the elector. The elector may receive assistance under sub. (5).
12 The return envelope shall then be sealed. The witness may not be a candidate. The
13 envelope shall be mailed by the elector, or delivered in person, to the municipal clerk
14 issuing the ballot or ballots. If the envelope is mailed from a location outside the
15 United States, the elector shall affix sufficient postage unless the ballot qualifies for
16 delivery free of postage under federal law. Failure to return an unused ballot in a
17 primary does not invalidate the ballot on which the elector's votes are cast. Return
18 of more than one marked ballot in a primary or return of a ballot prepared under s.
19 5.655 or a ballot used with an electronic voting system in a primary which is marked
20 for candidates of more than one party invalidates all votes cast by the elector for
21 candidates in the primary.

22 **SECTION 48.** 6.87 (4) (a) of the statutes is created to read:

23 **6.87 (4) (a)** In this subsection:

24 1. "Military elector" has the meaning given in s. 6.34 (1) (a).

25 2. "Overseas elector" has the meaning given in s. 6.34 (1) (b).

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1 **SECTION 49.** 6.87 (4) (b) 1. of the statutes, as affected by 2011 Wisconsin Act ...
2 (this act), is amended to read:

3 **6.87 (4) (b) 1.** Except as otherwise provided in s. 6.875, the elector voting
4 absentee shall make and subscribe to the certification before one witness who is an
5 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the
6 ballot in a manner that will not disclose how the elector's vote is cast. The elector
7 shall then, still in the presence of the witness, fold the ballots so each is separate and
8 so that the elector conceals the markings thereon and deposit them in the proper
9 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the
10 ballot so that the elector conceals the markings thereon and deposit the ballot in the
11 proper envelope. Except as authorized in subds. 2. to 5. and s. 6.875 (6) and
12 notwithstanding s. 343.43 (1) (f), the elector shall enclose a copy of the license or
13 identification card, or identification certificate required under s. 6.86 (1) (ar) in the
14 envelope, unless the elector is a military elector or an overseas elector or the elector
15 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is
16 required and the document enclosed by the elector under this subdivision does not
17 constitute proof of residence under s. 6.34, the elector shall also enclose proof of
18 residence under s. 6.34 in the envelope. Proof of residence is required if the elector
19 is not a military elector or an overseas elector and the elector registered by mail and
20 has not voted in an election in this state. If the elector requested a ballot by means
21 of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall
22 enclose in the envelope a copy of the request which bears an original signature of the
23 elector. The elector may receive assistance under sub. (5). The return envelope shall
24 then be sealed. The witness may not be a candidate. The envelope shall be mailed
25 by the elector, or delivered in person, to the municipal clerk issuing the ballot or

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1 ballots. If the envelope is mailed from a location outside the United States, the
2 elector shall affix sufficient postage unless the ballot qualifies for delivery free of
3 postage under federal law. Failure to return an unused ballot in a primary does not
4 invalidate the ballot on which the elector's votes are cast. Return of more than one
5 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot
6 used with an electronic voting system in a primary which is marked for candidates
7 of more than one party invalidates all votes cast by the elector for candidates in the
8 primary.

9 **SECTION 50.** 6.87 (4) (b) 2. of the statutes is created to read:

10 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and
11 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector
12 may, in lieu of providing a copy of a license or identification card required under s.
13 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same
14 individual who witnesses voting of the ballot which contains the name and address
15 of the elector and verifies that the name and address are correct.

16 **SECTION 51.** 6.87 (4) (b) 2. of the statutes, as created by 2011 Wisconsin Act
17 (this act), is amended to read:

18 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and
19 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector
20 may, in lieu of providing a copy of a license or identification card, or identification
21 certificate required under s. 6.86 (1) (ar), submit with his or her absentee ballot a
22 statement signed by the same individual who witnesses voting of the ballot which
23 contains the name and address of the elector and verifies that the name and address
24 are correct.

25 **SECTION 52.** 6.87 (4) (b) 3. of the statutes is created to read:

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1 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the
2 municipal clerk by mail for a previous election, has provided a copy of a license or
3 identification card required under s. 6.86 (1) (ar) with that ballot, and has not
4 changed his or her name or address since providing that identification, the elector
5 is not required to provide a copy of the identification required under s. 6.86 (1) (ar).

6 **SECTION 53.** 6.87 (4) (b) 3. of the statutes, as created by 2011 Wisconsin Act ...
7 (this act), is amended to read:

8 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the
9 municipal clerk by mail for a previous election, has provided a copy of a license or,
10 identification card, or identification certificate required under s. 6.86 (1) (ar) with
11 that ballot, and has not changed his or her name or address since providing that
12 identification, the elector is not required to provide a copy of the identification
13 required under s. 6.86 (1) (ar).

14 **SECTION 54.** 6.87 (4) (b) 4. of the statutes is created to read:

15 6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent
16 to revoke or suspend an operator's license from a law enforcement officer in any
17 jurisdiction that is dated within 60 days of the date of the election and is required
18 to surrender his or her operator's license issued to the elector under ch. 343 at the
19 time the citation or notice is issued, the elector may enclose a copy of the citation or
20 notice in lieu of a copy of an operator's license under ch. 343 if the elector is voting
21 by mail, or may present an original copy of the citation or notice in lieu of an
22 operator's license under ch. 343 if the elector is voting at the office of the municipal
23 clerk.

24 **SECTION 55.** 6.87 (4) (b) 5. of the statutes is created to read:

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1 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a
2 qualified retirement home, as defined in s. 6.875 (1) (at), a qualified
3 community-based residential facility, as defined in s. 6.875 (1) (as), a residential care
4 apartment complex that is certified or registered under s. 50.034 (1), or an adult
5 family home that is certified under s. 50.032 or licensed under s. 50.033 and the
6 municipal clerk or board of election commissioners of the municipality where the
7 complex, facility, or home is located does not send special voting deputies to visit the
8 complex, facility, or home at the election under s. 6.875, the elector may, in lieu of
9 providing a copy of a license or identification card required under s. 6.86 (1) (ar),
10 submit with his or her absentee ballot a statement signed by the same individual who
11 witnesses voting of the ballot that contains the certification of the manager of the
12 complex, facility, or home that the elector resides in the complex, facility, or home and
13 the complex, facility, or home is certified or registered as required by law, that
14 contains the name and address of the elector, and that verifies that the name and
15 address are correct.

16 **SECTION 56.** 6.87 (4) (b) 5. of the statutes, as created by 2011 Wisconsin Act ...
17 (this act), is amended to read:

18 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a
19 residential care apartment complex that is certified or registered under s. 50.034 (1)
20 or an adult family home that is certified under s. 50.032 or licensed under s. 50.033
21 and the municipal clerk or board of election commissioners of the municipality where
22 the complex or home is located does not send special voting deputies to visit the
23 complex or home at the election under s. 6.875, the elector may, in lieu of providing
24 a copy of a license or identification card, or identification certificate required under
25 s. 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same

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1 individual who witnesses voting of the ballot that contains the certification of the
2 manager of the complex or home that the elector resides in the complex or home and
3 the complex or home is certified or registered as required by law, that contains the
4 name and address of the elector, and that verifies that the name and address are
5 correct.

6 **SECTION 57.** 6.875 (title) of the statutes is amended to read:

7 **6.875 (title) Absentee voting in nursing and retirement certain homes**
8 **and certain community-based residential, facilities, and complexes.**

9 **SECTION 58.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

10 6.875 (1) (ap) “Qualified adult family home” means a facility that is certified
11 or licensed to operate as an adult family home under s. 50.032 or 50.033 that qualifies
12 under sub. (2) (d) to utilize the procedures under this section.

13 (asm) “Qualified residential care apartment complex” means a facility that is
14 certified or registered to operate as a residential care apartment complex under s.
15 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

16 **SECTION 59.** 6.875 (2) (a) of the statutes is amended to read:

17 6.875 (2) (a) The procedures prescribed in this section are the exclusive means
18 of absentee voting for electors who are occupants of nursing homes, qualified
19 community-based residential facilities ~~or~~, qualified retirement homes, qualified
20 residential care apartment complexes, and qualified adult family homes.

21 **SECTION 60.** 6.875 (2) (d) of the statutes is created to read:

22 6.875 (2) (d) The municipal clerk or board of election commissioners of any
23 municipality where a residential care apartment complex certified or registered
24 under s. 50.034 (1) or an adult family home certified under s. 50.032 or licensed under
25 s. 50.033 is located may adopt the procedures under this section for absentee voting

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1 in any such residential care apartment complex or adult family home located in the
2 municipality if the municipal clerk or board of election commissioners finds that
3 there are a significant number of the occupants of the complex or home who lack
4 adequate transportation to the appropriate polling place, a significant number of the
5 occupants of the complex or home may need assistance in voting, there are a
6 significant number of the occupants of the complex or home aged 60 or over, or there
7 are a significant number of indefinitely confined electors who are occupants of the
8 complex or home.

9 **SECTION 61.** 6.875 (3) and (4) of the statutes are amended to read:

10 6.875 (3) An occupant of a nursing home or qualified retirement home ~~or~~
11 qualified community-based residential facility, qualified residential care apartment
12 complex, or qualified adult family home who qualifies as an absent elector and
13 desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or
14 (2m) with the municipal clerk or board of election commissioners of the municipality
15 in which the elector is a resident. The clerk or board of election commissioners of a
16 municipality receiving an application from an elector who is an occupant of a nursing
17 home or qualified retirement home ~~or~~ qualified community-based residential
18 facility, qualified residential care apartment complex, or qualified adult family home
19 located in a different municipality shall, as soon as possible, notify and transmit an
20 absentee ballot for the elector to the clerk or board of election commissioners of the
21 municipality in which the home ~~or qualified community-based residential, facility~~
22 or complex is located. The clerk or board of election commissioners of a municipality
23 receiving an application from an elector who is an occupant of a nursing home or
24 qualified retirement home ~~or~~ qualified community-based residential facility,
25 qualified residential care apartment complex, or qualified adult family home located

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1 in the municipality but who is a resident of a different municipality shall, as soon as
2 possible, notify and request transmission of an absentee ballot from the clerk or
3 board of election commissioners of the municipality in which the elector is a resident.
4 The clerk or board of election commissioners shall make a record of all absentee
5 ballots to be transmitted, delivered, and voted under this section.

6 (4) (a) For the purpose of absentee voting in nursing homes ~~and~~, qualified
7 retirement homes ~~and~~, qualified community-based residential facilities, qualified
8 residential care apartment complexes, and qualified adult family homes, the
9 municipal clerk or board of election commissioners of each municipality in which one
10 or more nursing homes ~~or~~, qualified retirement homes ~~or~~, qualified
11 community-based residential facilities, qualified residential care apartment
12 complexes, or qualified adult family homes are located shall appoint at least 2 special
13 voting deputies for the municipality. Upon application under s. 6.86 (1), (2), or (2m)
14 by one or more qualified electors who are occupants of a ~~nursing home or qualified~~
15 ~~retirement home or qualified community-based residential~~, facility, or complex, the
16 municipal clerk or board of election commissioners of the municipality in which the
17 ~~home or~~, facility, or complex is located shall dispatch 2 special voting deputies to visit
18 the ~~home or qualified community-based residential~~, facility, or complex for the
19 purpose of supervising absentee voting procedure by occupants of the ~~home or~~
20 ~~qualified community-based residential~~, facility, or complex. The clerk shall
21 maintain a list, available to the public upon request, of each ~~nursing home or~~
22 ~~qualified retirement home or qualified community-based residential~~, facility, or
23 complex where an elector has requested an absentee ballot. The list shall include the
24 date and time the deputies intend to visit each ~~home or~~, facility, or complex. The 2
25 deputies designated to visit each ~~nursing home or~~, qualified retirement home or

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1 qualified community-based residential facility, qualified residential care apartment
2 complex, and qualified adult family home shall be affiliated with different political
3 parties whenever deputies representing different parties are available.

4 (b) Nominations for the special voting deputy positions described in par. (a)
5 may be submitted by the 2 recognized political parties whose candidates for governor
6 or president received the greatest numbers of votes in the municipality at the most
7 recent general election. The deputies shall be specially appointed to carry out the
8 duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk or board of
9 election commissioners may revoke an appointment at any time. No individual who
10 is employed or retained, or within the 2 years preceding appointment has been
11 employed or retained, at a nursing home ~~or~~, qualified retirement home ~~or~~, qualified
12 community-based residential facility, qualified residential care apartment complex,
13 or qualified adult family home in the municipality, or any member of the individual's
14 immediate family, as defined in s. 19.42 (7), may be appointed to serve as a deputy.

15 **SECTION 62.** 6.875 (6) (a) and (b) of the statutes are amended to read:

16 6.875 (6) (a) Special voting deputies in each municipality shall, not later than
17 5 p.m. on the Friday preceding an election, arrange one or more convenient times
18 with the administrator of each nursing home, qualified retirement home, and
19 qualified community-based residential facility, qualified residential care apartment
20 complex, and qualified adult family home in the municipality from which one or more
21 occupants have filed an application under s. 6.86 to conduct absentee voting for the
22 election. The time may be no earlier than the 4th Monday preceding the election and
23 no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall
24 post a notice at the home ~~or~~, facility, or complex indicating the date and time that
25 absentee voting will take place at that home ~~or~~, facility, or complex. The notice shall

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1 be posted as soon as practicable after arranging the visit but in no case less than 24
2 hours before the visit. At the designated time, 2 deputies appointed under sub. (4)
3 shall visit the home ~~or~~ facility, or complex.

4 (b) The municipal clerk or executive director of the board of election
5 commissioners shall issue a supply of absentee ballots to the deputies sufficient to
6 provide for the number of valid applications for an absentee ballot received by the
7 clerk, and a reasonable additional number of ballots. The deputies may exercise the
8 authority granted to the chief inspector under s. 7.41 to regulate the conduct of
9 observers. For purposes of the application of s. 7.41, the home ~~or~~ facility, or complex
10 shall be treated as a polling place. The municipal clerk or executive director shall
11 keep a careful record of all ballots issued to the deputies and shall require the
12 deputies to return every ballot issued to them.

13 **SECTION 63.** 6.875 (6) (c) 1. of the statutes is amended to read:

14 6.875 **(6)** (c) 1. Upon their visit to the home ~~or~~ facility, or complex under par.
15 (a), the deputies shall personally offer each elector who has filed a proper application
16 for an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of
17 providing a copy of a license or identification card under s. 6.87 (4) (b) 1. with his or
18 her absentee ballot, the elector may submit with his or her ballot a statement signed
19 by both deputies that contains the name and address of the elector and verifies that
20 the name and address are correct. The deputies shall enclose the statement in the
21 certificate envelope. If an elector presents a license or identification card under s.
22 6.87 (4) (b) 1., the deputies shall make a copy of the document presented by the elector
23 and shall enclose the copy in the certificate envelope. If an elector is present who has
24 not filed a proper application for an absentee ballot, the 2 deputies may accept an
25 application from the elector and shall issue a ballot to the elector if the elector is

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1 qualified, the elector presents a license or identification card, whenever required, or
2 submits a statement containing his or her name and address under this subdivision,
3 and the application is proper. The deputies shall each witness the certification and
4 may, upon request of the elector, assist the elector in marking the elector's ballot. All
5 voting shall be conducted in the presence of the deputies. Upon request of the elector,
6 a relative of the elector who is present in the room may assist the elector in marking
7 the elector's ballot. No individual other than a deputy may witness the certification
8 and no individual other than a deputy or relative of an elector may render voting
9 assistance to the elector.

10 **SECTION 64.** 6.875 (6) (c) 1. of the statutes, as affected by 2011 Wisconsin Act
11 (this act), is amended to read:

12 6.875 **(6)** (c) 1. Upon their visit to the home, facility, or complex under par. (a),
13 the deputies shall personally offer each elector who has filed a proper application for
14 an absentee ballot the opportunity to cast his or her absentee ballot. In lieu of
15 providing a copy of a license ~~or~~, identification card, or identification certificate under
16 s. 6.87 (4) (b) 1. with his or her absentee ballot, the elector may submit with his or
17 her ballot a statement signed by both deputies that contains the name and address
18 of the elector and verifies that the name and address are correct. The deputies shall
19 enclose the statement in the certificate envelope. If an elector presents a license ~~or~~,
20 identification card, or identification certificate under s. 6.87 (4) (b) 1., the deputies
21 shall make a copy of the document presented by the elector and shall enclose the copy
22 in the certificate envelope. If an elector is present who has not filed a proper
23 application for an absentee ballot, the 2 deputies may accept an application from the
24 elector and shall issue a ballot to the elector if the elector is qualified, the elector
25 presents a license ~~or~~, identification card, or identification certificate, whenever

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1 required, or submits a statement containing his or her name and address under this
2 subsection, and the application is proper. The deputies shall each witness the
3 certification and may, upon request of the elector, assist the elector in marking the
4 elector's ballot. All voting shall be conducted in the presence of the deputies. Upon
5 request of the elector, a relative of the elector who is present in the room may assist
6 the elector in marking the elector's ballot. No individual other than a deputy may
7 witness the certification and no individual other than a deputy or relative of an
8 elector may render voting assistance to the elector.

9 **SECTION 65.** 6.875 (6) (c) 2. of the statutes is amended to read:

10 6.875 (6) (c) 2. Upon the request of a relative of an occupant of a nursing home
11 ~~or~~ qualified retirement home ~~or~~ qualified community-based residential facility,
12 qualified residential care apartment complex, or qualified adult family home, the
13 administrator of the home ~~or~~ facility, or complex may notify the relative of the time
14 or times at which special voting deputies will conduct absentee voting at the home
15 ~~or~~ facility, or complex and permit the relative to be present in the room where the
16 voting is conducted.

17 **SECTION 66.** 6.875 (6) (e) of the statutes is amended to read:

18 6.875 (6) (e) If a qualified elector is not able to cast his or her ballot on 2 separate
19 visits by the deputies to the home ~~or~~ facility, or complex, the deputies shall so inform
20 the municipal clerk or executive director of the board of election commissioners, who
21 may then send the ballot to the elector no later than 5 p.m. on the Friday preceding
22 the election.

23 **SECTION 67.** 6.875 (7) of the statutes is amended to read:

24 6.875 (7) One observer from each of the 2 recognized political parties whose
25 candidate for governor or president received the greatest number of votes in the

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1 municipality at the most recent general election may accompany the deputies to each
2 home ~~or~~ facility, or complex where absentee voting will take place under this section.
3 The observers may observe the process of absentee ballot distribution in the common
4 areas of the home ~~or~~ facility, or complex. Each party wishing to have an observer
5 present shall submit the name of the observer to the clerk or board of election
6 commissioners no later than the close of business on the last business day prior to
7 the visit.

8 **SECTION 68.** 6.88 (3) (a) of the statutes is amended to read:

9 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
10 under s. 7.52, at any time between the opening and closing of the polls on election day,
11 the inspectors shall, in the same room where votes are being cast, in such a manner
12 that members of the public can hear and see the procedures, open the carrier
13 envelope only, and announce the name of the absent elector or the identification
14 serial number of the absent elector if the elector has a confidential listing under s.
15 6.47 (2). When the inspectors find that the certification has been properly executed,
16 the applicant is a qualified elector of the ward or election district, and the applicant
17 has not voted in the election, they shall enter an indication on the poll list next to the
18 applicant's name indicating an absentee ballot is cast by the elector. They shall then
19 open the envelope containing the ballot in a manner so as not to deface or destroy the
20 certification thereon. The inspectors shall take out the ballot without unfolding it
21 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
22 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
23 the poll list indicates that proof of residence under s. 6.34 is required and no proof
24 of residence is enclosed or the name or address on the document that is provided is
25 not the same as the name and address shown on the poll list, or if the elector is not

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1 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
2 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license
3 or identification card under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of the license
4 or identification card is enclosed or the name on the document cannot be verified by
5 the inspectors, the inspectors shall proceed as provided under s. 6.97 (2). The
6 inspectors shall then deposit the ballot into the proper ballot box and enter the
7 absent elector's name or voting number after his or her name on the poll list in the
8 same manner as if the elector had been present and voted in person.

9 **SECTION 69.** 6.88 (3) (a) of the statutes, as affected by 2011 Wisconsin Act
10 (this act), is amended to read:

11 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
12 under s. 7.52, at any time between the opening and closing of the polls on election day,
13 the inspectors shall, in the same room where votes are being cast, in such a manner
14 that members of the public can hear and see the procedures, open the carrier
15 envelope only, and announce the name of the absent elector or the identification
16 serial number of the absent elector if the elector has a confidential listing under s.
17 6.47 (2). When the inspectors find that the certification has been properly executed,
18 the applicant is a qualified elector of the ward or election district, and the applicant
19 has not voted in the election, they shall enter an indication on the poll list next to the
20 applicant's name indicating an absentee ballot is cast by the elector. They shall then
21 open the envelope containing the ballot in a manner so as not to deface or destroy the
22 certification thereon. The inspectors shall take out the ballot without unfolding it
23 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
24 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
25 the poll list indicates that proof of residence under s. 6.34 is required and no proof

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1 of residence is enclosed or the name or address on the document that is provided is
2 not the same as the name and address shown on the poll list, or if the elector is not
3 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
4 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license
5 ~~or~~ identification card, or identification certificate under s. 6.86 (1) (ar) or 6.87 (4) (b)
6 1. and no copy of the license ~~or~~ identification card, or identification certificate is
7 enclosed or the name on the document cannot be verified by the inspectors, the
8 inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then
9 deposit the ballot into the proper ballot box and enter the absent elector's name or
10 voting number after his or her name on the poll list in the same manner as if the
11 elector had been present and voted in person.

12 **SECTION 70.** 6.965 of the statutes is created to read:

13 **6.965 Voting procedure for electors presenting citation or notice in**
14 **lieu of license.** Whenever any elector is allowed to vote at a polling place under s.
15 6.79 (7) by presenting a citation or notice of intent to revoke or suspend an operator's
16 license in lieu of an operator's license issued to the elector under ch. 343, the
17 inspectors shall, before giving the elector a ballot, write on the back of the ballot the
18 serial number of the elector corresponding to the number kept at the election on the
19 poll list or other list maintained under s. 6.79 and the notation "s. 6.965." If voting
20 machines are used in the municipality where the elector is voting, the elector's vote
21 may be received only upon an absentee ballot furnished by the municipal clerk which
22 shall have the notation "s. 6.965" written on the back of the ballot by the inspectors
23 before the ballot is given to the elector. If the municipal clerk receives an absentee
24 ballot from an elector who presents a citation or notice, or copy thereof, under s. 6.87
25 (4) (b) 4., the clerk shall enter a notation on the certificate envelope "Ballot under s.

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1 6.965, stats.” Upon receiving the envelope, the inspectors shall open and write on
2 the back of the ballot the serial number of the elector corresponding to the number
3 kept at the election on the poll list or other list maintained under s. 6.79 and the
4 notation “s. 6.965.” The inspectors shall indicate on the poll list or other list
5 maintained under s. 6.79 the fact that the elector is voting by using a citation or
6 notice in lieu of a license. The inspectors shall then deposit the ballot. The ballot
7 shall then be counted under s. 5.85, or under s. 7.51 or 7.52.

8 **SECTION 71.** 6.97 (title) of the statutes is amended to read:

9 **6.97 (title) Voting procedure for individuals not providing required**
10 **proof of residence or identification.**

11 **SECTION 72.** 6.97 (1) of the statutes is amended to read:

12 6.97 (1) Whenever any individual who is required to provide proof of residence
13 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
14 cannot provide the required proof of residence, the inspectors shall offer the
15 opportunity for the individual to vote under this section. Whenever any individual,
16 other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as
17 defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2),
18 appears to vote at a polling place and does not present a license or identification card
19 under s. 6.79 (2), whenever required, the inspectors or the municipal clerk shall
20 similarly offer the opportunity for the individual to vote under this section. If the
21 individual wishes to vote, the inspectors shall provide the elector with an envelope
22 marked “Ballot under s. 6.97, stats.” on which the serial number of the elector is
23 entered and shall require the individual to execute on the envelope a written
24 affirmation stating that the individual is a qualified elector of the ward or election
25 district where he or she offers to vote and is eligible to vote in the election. The

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1 inspectors shall, before giving the elector a ballot, write on the back of the ballot the
2 serial number of the individual corresponding to the number kept at the election on
3 the poll list or other list maintained under s. 6.79 and the notation “s. 6.97”. If voting
4 machines are used in the municipality where the individual is voting, the
5 individual’s vote may be received only upon an absentee ballot furnished by the
6 municipal clerk which shall have the corresponding number from the poll list or
7 other list maintained under s. 6.79 and the notation “s. 6.97” written on the back of
8 the ballot by the inspectors before the ballot is given to the elector. When receiving
9 the individual’s ballot, the inspectors shall provide the individual with written
10 voting information prescribed by the board under s. 7.08 (8). The inspectors shall
11 indicate on the list the fact that the individual is required to provide proof of
12 residence or a license or identification card under s. 6.79 (2) but did not do so. The
13 inspectors shall notify the individual that he or she may provide proof of residence
14 or a license or identification card to the municipal clerk or executive director of the
15 municipal board of election commissioners. The inspectors shall also promptly notify
16 the municipal clerk or executive director of the name, address, and serial number of
17 the individual. The inspectors shall then place the ballot inside the envelope and
18 place the envelope in a separate carrier envelope.

19 **SECTION 73.** 6.97 (1) of the statutes, as affected by 2011 Wisconsin Act (this
20 act), is amended to read:

21 6.97 (1) Whenever any individual who is required to provide proof of residence
22 under s. 6.34 in order to be permitted to vote appears to vote at a polling place and
23 cannot provide the required proof of residence, the inspectors shall offer the
24 opportunity for the individual to vote under this section. Whenever any individual,
25 other than a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as

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1 defined in s. 6.34 (1) (b), or an elector who has a confidential listing under s. 6.47 (2),
2 appears to vote at a polling place and does not present a license or identification card,
3 or identification certificate under s. 6.79 (2), whenever required, the inspectors or the
4 municipal clerk shall similarly offer the opportunity for the individual to vote under
5 this section. If the individual wishes to vote, the inspectors shall provide the elector
6 with an envelope marked “Ballot under s. 6.97, stats.” on which the serial number
7 of the elector is entered and shall require the individual to execute on the envelope
8 a written affirmation stating that the individual is a qualified elector of the ward or
9 election district where he or she offers to vote and is eligible to vote in the election.
10 The inspectors shall, before giving the elector a ballot, write on the back of the ballot
11 the serial number of the individual corresponding to the number kept at the election
12 on the poll list or other list maintained under s. 6.79 and the notation “s. 6.97”. If
13 voting machines are used in the municipality where the individual is voting, the
14 individual’s vote may be received only upon an absentee ballot furnished by the
15 municipal clerk which shall have the corresponding number from the poll list or
16 other list maintained under s. 6.79 and the notation “s. 6.97” written on the back of
17 the ballot by the inspectors before the ballot is given to the elector. When receiving
18 the individual’s ballot, the inspectors shall provide the individual with written
19 voting information prescribed by the board under s. 7.08 (8). The inspectors shall
20 indicate on the list the fact that the individual is required to provide proof of
21 residence or a license or identification card, or identification certificate under s. 6.79
22 (2) but did not do so. The inspectors shall notify the individual that he or she may
23 provide proof of residence or a license or identification card, or identification
24 certificate to the municipal clerk or executive director of the municipal board of
25 election commissioners. The inspectors shall also promptly notify the municipal

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1 clerk or executive director of the name, address, and serial number of the individual.

2 The inspectors shall then place the ballot inside the envelope and place the envelope
3 in a separate carrier envelope.

4 **SECTION 74.** 6.97 (2) of the statutes is amended to read:

5 6.97 (2) Whenever any individual who votes by absentee ballot is required to
6 provide proof of residence in order to be permitted to vote and does not provide the
7 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a
8 provisional ballot under this section. Whenever any individual, other than a military
9 elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b),
10 an individual who has a confidential listing under s. 6.47 (2), or an individual who
11 is exempted under s. 6.87 (4) or s. 6.875 (6), votes by absentee ballot and does not
12 enclose a copy of the license or identification card required under s. 6.86 (1) (ar), the
13 inspectors shall similarly treat the ballot as a provisional ballot under this section.
14 Upon removing the ballot from the envelope, the inspectors shall write on the back
15 of the absentee ballot the serial number of the individual corresponding to the
16 number kept at the election on the poll list or other list maintained under s. 6.79 and
17 the notation “s. 6.97”. The inspectors shall indicate on the list the fact that the
18 individual is required to provide proof of residence or to provide, or provide a copy
19 of, a license or identification card required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. but
20 did not do so. The inspectors shall promptly notify the municipal clerk or executive
21 director of the municipal board of election commissioners of the name, address, and
22 serial number of the individual. The inspectors shall then place the ballot inside an
23 envelope on which the name and serial number of the elector is entered and shall
24 place the envelope in a separate carrier envelope.

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1 **SECTION 75.** 6.97 (2) of the statutes, as affected by 2011 Wisconsin Act (this
2 act), is amended to read:

3 **6.97 (2)** Whenever any individual who votes by absentee ballot is required to
4 provide proof of residence in order to be permitted to vote and does not provide the
5 required proof of residence under s. 6.34, the inspectors shall treat the ballot as a
6 provisional ballot under this section. Whenever any individual, other than a military
7 elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b),
8 an individual who has a confidential listing under s. 6.47 (2), or an individual who
9 is exempted under s. 6.87 (4) or s. 6.875 (6), votes by absentee ballot and does not
10 enclose a copy of the license or identification card, or identification certificate
11 required under s. 6.86 (1) (ar), the inspectors shall similarly treat the ballot as a
12 provisional ballot under this section. Upon removing the ballot from the envelope,
13 the inspectors shall write on the back of the ballot the serial number of the individual
14 corresponding to the number kept at the election on the poll list or other list
15 maintained under s. 6.79 and the notation “s. 6.97”. The inspectors shall indicate on
16 the list the fact that the individual is required to provide proof of residence or to
17 provide, or provide a copy of, a license or identification card, or identification
18 certificate required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. but did not do so. The
19 inspectors shall promptly notify the municipal clerk or executive director of the
20 municipal board of election commissioners of the name, address, and serial number
21 of the individual. The inspectors shall then place the ballot inside an envelope on
22 which the name and serial number of the elector is entered and shall place the
23 envelope in a separate carrier envelope.

24 **SECTION 76.** 6.97 (3) of the statutes is renumbered 6.97 (3) (b) and amended to
25 read:

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1 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal
2 board of election commissioners is informed by the inspectors that a ballot has been
3 cast under this section, the clerk or executive director shall promptly provide written
4 notice to the board of canvassers of each municipality, special purpose district, and
5 county that is responsible for canvassing the election of the number of ballots cast
6 under this section in each ward or election district. The municipal clerk or executive
7 director then shall determine whether each individual voting under this section is
8 qualified to vote in the ward or election district where the individual's ballot is cast.
9 If the elector is required to provide a license or identification card or copy thereof
10 under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector bears the burden of
11 correcting the omission by providing the license or identification card or copy thereof
12 at the polling place before the closing hour or at the office of the municipal clerk or
13 board of election commissioners no later than 4 p.m. on the day after the election.
14 The municipal clerk or executive director shall make a record of the procedure used
15 to determine the validity of each ballot cast under this section. If, prior to 4 p.m. on
16 the day after the election, the municipal clerk or executive director determines that
17 the individual is qualified to vote in the ward or election district where the
18 individual's ballot is cast, the municipal clerk or executive director shall notify the
19 board of canvassers for each municipality, special purpose district and county that
20 is responsible for canvassing the election of that fact.

21 **SECTION 77.** 6.97 (3) (a) of the statutes is created to read:

22 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)
23 or (2) because the elector does not provide a license or identification card or copy
24 thereof under s. 6.79 (2) or 6.86 (1) (ar) later appears at the polling place where the
25 ballot is cast before the closing hour and provides the license or identification card

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1 or copy thereof, the inspectors shall remove the elector's ballot from the separate
2 carrier envelope, shall note on the poll list that the elector's provisional ballot is
3 withdrawn, and shall deposit the elector's ballot in the ballot box. If the inspectors
4 have notified the municipal clerk or executive director of the board of election
5 commissioners that the elector's ballot was cast under this section, the inspectors
6 shall notify the clerk or executive director that the elector's provisional ballot is
7 withdrawn.

8 **SECTION 78.** 6.97 (3) (a) of the statutes, as created by 2011 Wisconsin Act
9 (this act), is amended to read:

10 6.97 (3) (a) Whenever an elector who votes by provisional ballot under sub. (1)
11 or (2) because the elector does not provide a license ~~or~~ identification card, or
12 identification certificate or copy thereof under s. 6.79 (2) or 6.86 (1) (ar) later appears
13 at the polling place where the ballot is cast before the closing hour and provides the
14 license ~~or~~ identification card, or identification certificate or copy thereof, the
15 inspectors shall remove the elector's ballot from the separate carrier envelope, shall
16 note on the poll list that the elector's provisional ballot is withdrawn, and shall
17 deposit the elector's ballot in the ballot box. If the inspectors have notified the
18 municipal clerk or executive director of the board of election commissioners that the
19 elector's ballot was cast under this section, the inspectors shall notify the clerk or
20 executive director that the elector's provisional ballot is withdrawn.

21 **SECTION 79.** 6.97 (3) (b) of the statutes, as affected by 2011 Wisconsin Act
22 (this act), is amended to read:

23 6.97 (3) (b) Whenever the municipal clerk or executive director of the municipal
24 board of election commissioners is informed by the inspectors that a ballot has been
25 cast under this section, the clerk or executive director shall promptly provide written

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1 notice to the board of canvassers of each municipality, special purpose district, and
2 county that is responsible for canvassing the election of the number of ballots cast
3 under this section in each ward or election district. The municipal clerk or executive
4 director then shall determine whether each individual voting under this section is
5 qualified to vote in the ward or election district where the individual's ballot is cast.
6 If the elector is required to provide a license or identification card, or identification
7 certificate or copy thereof under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector
8 bears the burden of correcting the omission by providing the license or identification
9 card, or identification certificate or copy thereof at the polling place before the closing
10 hour or at the office of the municipal clerk or board of election commissioners no later
11 than 4 p.m. on the day after the election. The municipal clerk or executive director
12 shall make a record of the procedure used to determine the validity of each ballot cast
13 under this section. If, prior to 4 p.m. on the day after the election, the municipal clerk
14 or executive director determines that the individual is qualified to vote in the ward
15 or election district where the individual's ballot is cast, the municipal clerk or
16 executive director shall notify the board of canvassers for each municipality, special
17 purpose district and county that is responsible for canvassing the election of that
18 fact.

19 **SECTION 80.** 6.97 (3) (c) of the statutes is created to read:

20 6.97 (3) (c) A ballot cast under this section by an elector for whom a valid license
21 or identification card or copy thereof is required under s. 6.79 (2) or 6.86 (1) (ar) shall
22 not be counted unless the municipal clerk or executive director of the board of
23 election commissioners provides timely notification that the elector has provided a
24 valid license or identification card or copy thereof under this section.

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1 **SECTION 81.** 6.97 (3) (c) of the statutes, as created by 2011 Wisconsin Act (this
2 act), is amended to read:

3 6.97 **(3)** (c) A ballot cast under this section by an elector for whom a valid license
4 ~~or~~ identification card, or identification certificate or copy thereof is required under
5 s. 6.79 (2) or 6.86 (1) (ar) shall not be counted unless the municipal clerk or executive
6 director of the board of election commissioners provides timely notification that the
7 elector has provided a valid license ~~or~~ identification card, or identification certificate
8 or copy thereof under this section.

9 **SECTION 82.** 7.08 (8) (title) of the statutes is amended to read:

10 7.08 **(8)** (title) ELECTORS VOTING WITHOUT PROOF OF RESIDENCE OR IDENTIFICATION
11 OR PURSUANT TO COURT ORDER.

12 **SECTION 83.** 7.08 (12) of the statutes is created to read:

13 7.08 **(12)** ASSISTANCE IN OBTAINING LICENSES OR IDENTIFICATION CARDS. Engage
14 in outreach to identify and contact groups of electors who may need assistance in
15 obtaining or renewing a license or identification card for voting under s. 6.79 (2) (a),
16 6.86 (1) (ar), or 6.87 (4) (b), and provide assistance to the electors in obtaining or
17 renewing a license or identification card.

18 **SECTION 84.** 7.08 (12) of the statutes, as created by 2011 Wisconsin Act (this
19 act), is amended to read:

20 7.08 **(12)** ASSISTANCE IN OBTAINING LICENSES OR IDENTIFICATION CARDS OR
21 CERTIFICATES. Engage in outreach to identify and contact groups of electors who may
22 need assistance in obtaining or renewing a license ~~or~~ identification card, or
23 identification certificate for voting under s. 6.79 (2) (a), 6.86 (1) (ar), or 6.87 (4) (b),
24 and provide assistance to the electors in obtaining or renewing a license ~~or~~ or
25 identification card, or identification certificate.

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1 **SECTION 85.** 7.52 (3) (a) of the statutes is amended to read:

2 7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier
3 envelope only, and, in such a manner that a member of the public, if he or she desired,
4 could hear, announce the name of the absent elector or the identification serial
5 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).
6 When the board of absentee ballot canvassers finds that the certification has been
7 properly executed and the applicant is a qualified elector of the ward or election
8 district, the board of absentee ballot canvassers shall enter an indication on the poll
9 list next to the applicant's name indicating an absentee ballot is cast by the elector.
10 The board of absentee ballot canvassers shall then open the envelope containing the
11 ballot in a manner so as not to deface or destroy the certification thereon. The board
12 of absentee ballot canvassers shall take out the ballot without unfolding it or
13 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the
14 board of absentee ballot canvassers shall verify that the ballot has been endorsed by
15 the issuing clerk. If the poll list indicates that proof of residence is required and no
16 proof of residence is enclosed or the name or address on the document that is provided
17 is not the same as the name and address shown on the poll list, or if the elector is not
18 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
19 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license
20 or identification card required under s. 6.86 (1) (ar) or 6.87 (4) (b) 1. and no copy of
21 the license or identification card is enclosed or the name on the document cannot be
22 verified by the canvassers, the board of absentee ballot canvassers shall proceed as
23 provided under s. 6.97 (2). The board of absentee ballot canvassers shall mark the
24 poll list number of each elector who casts an absentee ballot on the back of the
25 elector's ballot. The board of absentee ballot canvassers shall then deposit the ballot

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1 into the proper ballot box and enter the absent elector's name or poll list number after
2 his or her name on the poll list.

3 **SECTION 86.** 7.52 (3) (a) of the statutes, as affected by 2011 Wisconsin Act ...
4 (this act), is amended to read:

5 7.52 (3) (a) The board of absentee ballot canvassers shall first open the carrier
6 envelope only, and, in such a manner that a member of the public, if he or she desired,
7 could hear, announce the name of the absent elector or the identification serial
8 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).
9 When the board of absentee ballot canvassers finds that the certification has been
10 properly executed and the applicant is a qualified elector of the ward or election
11 district, the board of absentee ballot canvassers shall enter an indication on the poll
12 list next to the applicant's name indicating an absentee ballot is cast by the elector.
13 The board of absentee ballot canvassers shall then open the envelope containing the
14 ballot in a manner so as not to deface or destroy the certification thereon. The board
15 of absentee ballot canvassers shall take out the ballot without unfolding it or
16 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the
17 board of absentee ballot canvassers shall verify that the ballot has been endorsed by
18 the issuing clerk. If the poll list indicates that proof of residence is required and no
19 proof of residence is enclosed or the name or address on the document that is provided
20 is not the same as the name and address shown on the poll list, or if the elector is not
21 a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s.
22 6.34 (1) (b), and the elector is required to provide, or to provide a copy of, a license
23 ~~or~~ identification card, or identification certificate required under s. 6.86 (1) (ar) or
24 6.87 (4) (b) 1. and no copy of the license ~~or~~ identification card, or identification
25 certificate is enclosed or the name on the document cannot be verified by the

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1 canvassers, the board of absentee ballot canvassers shall proceed as provided under
2 s. 6.97 (2). The board of absentee ballot canvassers shall mark the poll list number
3 of each elector who casts an absentee ballot on the back of the elector's ballot. The
4 board of absentee ballot canvassers shall then deposit the ballot into the proper
5 ballot box and enter the absent elector's name or poll list number after his or her
6 name on the poll list.

7 **SECTION 87.** 10.02 (3) (form) (a) of the statutes is amended to read:

8 10.02 (3) (form) (a) Upon entering the polling place and before being permitted
9 to vote, an elector shall state his or her name and address. If an elector is not
10 registered to vote, an elector may register to vote at the polling place serving his or
11 her residence if the elector ~~provides proof of residence or the elector's registration is~~
12 ~~verified by another elector of the same municipality where the elector resides~~
13 presents a valid Wisconsin operator's license, a valid, current identification card
14 issued to the elector by a U.S. uniformed service, or a valid Wisconsin identification
15 card unless the elector is exempted from this requirement, and, if the document
16 presented does not constitute proof of residence, if the elector provides proof of
17 residence. Where ballots are distributed to electors, the initials of 2 inspectors must
18 appear on the ballot. Upon being permitted to vote, the elector shall retire alone to
19 a voting booth or machine and cast his or her ballot, except that an elector who is a
20 parent or guardian may be accompanied by the elector's minor child or minor ward.
21 An election official may inform the elector of the proper manner for casting a vote,
22 but the official may not in any manner advise or indicate a particular voting choice.

23 **SECTION 88.** 10.02 (3) (form) (a) of the statutes, as affected by 2011 Wisconsin
24 Act (this act), is amended to read:

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1 10.02 (3) (form) (a) Upon entering the polling place and before being permitted
2 to vote, an elector shall state his or her name and address. If an elector is not
3 registered to vote, an elector may register to vote at the polling place serving his or
4 her residence if the elector presents a valid Wisconsin operator's license, a valid,
5 current identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
6 Wisconsin identification card, or a valid Wisconsin identification certificate unless
7 the elector is exempted from this requirement, and, if the document presented does
8 not constitute proof of residence, if the elector provides proof of residence. Where
9 ballots are distributed to electors, the initials of 2 inspectors must appear on the
10 ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth
11 or machine and cast his or her ballot, except that an elector who is a parent or
12 guardian may be accompanied by the elector's minor child or minor ward. An
13 election official may inform the elector of the proper manner for casting a vote, but
14 the official may not in any manner advise or indicate a particular voting choice.

15 **SECTION 89.** 12.03 (2) (b) 3. of the statutes is amended to read:

16 12.03 (2) (b) 3. No person may engage in electioneering within 100 feet of an
17 entrance to or within a nursing home ~~or~~, qualified retirement home ~~or~~, qualified
18 community-based residential facility, qualified residential care apartment complex,
19 or qualified adult family home while special voting deputies are present at the home
20 or facility.

21 **SECTION 90.** 12.13 (2) (b) 6m. of the statutes is amended to read:

22 12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or
23 qualified retirement home ~~or~~, qualified community-based residential facility,
24 qualified residential care apartment complex, or qualified adult family home under
25 s. 6.875 (6) and fail to return the ballot to the issuing officer.

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1 **SECTION 91.** 12.13 (3) (v) of the statutes is repealed.

2 **SECTION 92.** 85.103 (2) of the statutes is amended to read:

3 85.103 **(2)** The department shall include on any form for application for original
4 registration under s. 341.08, for application for renewal of registration under s.
5 341.08, for application for a certificate of title under s. 342.06, for application for a
6 license or identification card or renewal of a license or identification card under s.
7 343.14, for application for an identification certificate or renewal of an identification
8 certificate under s. 343.505 (2). and for application for a special identification card
9 under s. 343.51, a place for the individual to designate that the individual's personal
10 identifiers may not be disclosed in information compiled or maintained by the
11 department that contains the personal identifiers of 10 or more individuals, a
12 statement indicating the effect of making such a designation and a place for an
13 applicant or registrant who has made a designation under this subsection or sub. (3)
14 to reverse the designation.

15 **SECTION 93.** 125.085 (1) (f) of the statutes is created to read:

16 125.085 **(1)** (f) An identification certificate issued under s. 343.505.

17 **SECTION 94.** 134.71 (8) (a) 2. of the statutes is amended to read:

18 134.71 **(8)** (a) 2. A state identification card or identification certificate.

19 **SECTION 95.** 139.30 (4n) of the statutes is amended to read:

20 139.30 **(4n)** "Government issued identification" includes a valid driver's
21 license, state identification card or identification certificate, passport, or military
22 identification.

23 **SECTION 96.** 165.8287 (2) of the statutes, as created by 2009 Wisconsin Act 167,
24 is amended to read:

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1 165.8287 (2) Upon electronic request, the department of transportation shall
2 make available to the department of justice, in a digital format, any photograph
3 taken of an applicant under s. 343.14 (3) ~~or~~, 343.50 (4), or 343.505 (2) (b) that is
4 maintained by the department of transportation. Updated photographs shall be
5 available to the department of justice within 30 days of photograph capture.

6 **SECTION 97.** 165.8287 (3) (d) of the statutes, as created by 2009 Wisconsin Act
7 167, is amended to read:

8 165.8287 (3) (d) The department of justice shall maintain a record, which may
9 be electronic, of each request by a law enforcement agency for a photograph under
10 this subsection and of the response to the request. Except as provided in s. 343.237
11 (9), the department of justice may not disclose any record or other information
12 concerning or relating to the request to any person other than a court, district
13 attorney, county corporation counsel, city, village, or town attorney, law enforcement
14 agency, the applicant under s. 343.14 (3) ~~or~~, 343.50 (4), or 343.505 (2) (b), or, if the
15 applicant is under 18 years of age, his or her parent or guardian. Records maintained
16 under this paragraph shall be maintained for at least 12 months.

17 **SECTION 98.** 343.19 (title) of the statutes is amended to read:

18 **343.19 (title) Duplicate licenses or identification cards or certificates.**

19 **SECTION 99.** 343.19 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
20 is repealed and recreated to read:

21 343.19 (1) If a license issued under this chapter, an identification card issued
22 under s. 343.50, or an identification certificate issued under s. 343.505 is lost or
23 destroyed or the name or address named in the license, identification card, or
24 identification certificate is changed or the condition specified in s. 343.17 (3) (a) 12.
25 or 13. or s. 343.505 (3) (b) 9. no longer applies, the person to whom the license,

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1 identification card, or identification certificate was issued may obtain a duplicate
2 thereof or substitute therefor upon furnishing proof satisfactory to the department
3 of full legal name and date of birth and that the license, identification card, or
4 identification certificate has been lost or destroyed or that application for a duplicate
5 license, identification card, or identification certificate is being made for a change of
6 address or name or because the condition specified in s. 343.17 (3) (a) 12. or 13. or s.
7 343.505 (3) (b) 9. no longer applies. If the applicant is a male who is at least 18 years
8 of age but less than 26 years of age and is applying for a duplicate license or
9 identification card, the application shall include the information required under s.
10 343.14 (2) (em). If the original license, identification card, or identification certificate
11 is found it shall immediately be transmitted to the department.

12 **SECTION 100.** 343.19 (2) (intro.) of the statutes is amended to read:

13 343.19 (2) (intro.) No person may knowingly make a false statement or fail to
14 return the original license ~~or~~, identification card, or identification certificate to the
15 department upon finding it or fail to comply with any other requirement of this
16 section relating to an application for any of the following:

17 **SECTION 101.** 343.19 (2) (c) of the statutes is created to read:

18 343.19 (2) (c) A duplicate identification certificate.

19 **SECTION 102.** 343.22 (2) of the statutes, as affected by 2007 Wisconsin Act 20,
20 is repealed and recreated to read:

21 343.22 (2) Whenever any person, after applying for or receiving a license under
22 this chapter, an identification card under s. 343.50, or an identification certificate
23 under s. 343.505, moves from the address named in the application or in the license,
24 identification card, or identification certificate issued to him or her or is notified by

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1 the local authorities or by the postal authorities that the address so named has been
2 changed, the person shall, within 30 days thereafter, do one of the following:

3 (a) Apply for a duplicate license, identification card, or identification certificate
4 showing on the application the correct full legal name and address. The licensee,
5 identification card holder, or identification certificate holder shall return the current
6 license, identification card, or identification certificate to the department along with
7 the application for duplicate.

8 (b) In lieu of applying for a duplicate license, identification card, or
9 identification certificate, notify the department in writing of his or her change of
10 address. This paragraph does not apply to persons issued a commercial driver
11 license.

12 **SECTION 103.** 343.22 (2m) of the statutes, as affected by 2007 Wisconsin Act 20,
13 section 3274, is repealed and recreated to read:

14 343.22 (2m) Whenever any person, after applying for or receiving a license
15 under this chapter, an identification card under s. 343.50, or an identification
16 certificate under s. 343.505, is notified by the local authorities or by the postal
17 authorities that the address named in the application or in the license, identification
18 card, or identification certificate issued to him or her has been changed and the
19 person applies for a duplicate license, identification card, or identification certificate
20 under sub. (2), no fees shall be charged under s. 343.21 (1) (L) and (n), 343.50 (5m)
21 and (7), or s. 343.505 (4) (a) 2. for the duplicate license, identification card, or
22 identification certificate.

23 **SECTION 104.** 343.22 (3) of the statutes, as affected by 2007 Wisconsin Act 20,
24 section 3276, is repealed and recreated to read:

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1 343.22 (3) When the name of a licensee, identification card holder, or
2 identification certificate holder is changed, such person shall, within 30 days
3 thereafter, apply for a duplicate license, identification card, or identification
4 certificate showing the correct full legal name and address. The licensee,
5 identification card holder, or identification certificate holder shall return the current
6 license, identification card, or identification certificate to the department along with
7 the application for a duplicate. If the licensee holds more than one type of license
8 under this chapter, the licensee shall return all such licenses to the department along
9 with one application and fees for a duplicate license for which the licensee may be
10 issued a duplicate of each such license.

11 **SECTION 105.** 343.235 (title) of the statutes is amended to read:

12 **343.235 (title) Access to license and identification card and certificate**
13 **records.**

14 **SECTION 106.** 343.237 (title) of the statutes is amended to read:

15 **343.237 (title) Access to license and identification card and certificate**
16 **photographs and fingerprints.**

17 **SECTION 107.** 343.237 (2) of the statutes, as affected by 2009 Wisconsin Act 167,
18 section 3, is repealed and recreated to read:

19 343.237 (2) Any photograph taken of an applicant under s. 343.14 (3), 343.50
20 (4), or 343.505 (2) (b), and any fingerprint taken of an applicant under s. 343.12 (6)
21 (b), may be maintained by the department and, except as provided in this section and
22 s. 165.8287, shall be kept confidential. Except as provided in this section and s.
23 165.8287, the department may release a photograph or fingerprint only to the person
24 whose photograph or fingerprint was taken or to the driver licensing agency of
25 another jurisdiction.

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1 **SECTION 108.** 343.237 (3) (intro.) of the statutes, as affected by 2007 Wisconsin
2 Act 20, is repealed and recreated to read:

3 343.237 **(3)** (intro.) The department shall provide a Wisconsin law enforcement
4 agency or a federal law enforcement agency with a print or electronic copy of a
5 photograph taken on or after September 1, 1997, of an applicant under s. 343.14 (3),
6 343.50 (4), or 343.505 (2) (b), or a printed or electronic copy of a fingerprint taken of
7 an applicant under s. 343.12 (6) (b), if the department receives a written request on
8 the law enforcement agency's letterhead that contains all of the following:

9 **SECTION 109.** 343.237 (6) of the statutes is amended to read:

10 343.237 **(6)** For each copy of a photograph or fingerprint provided under sub.
11 (3) or (4), the department shall record and maintain the written request for the copy
12 of the photograph or fingerprint and may not disclose any record or other information
13 concerning or relating to the written request to any person other than a court, district
14 attorney, county corporation counsel, city, village, or town attorney, law enforcement
15 agency, driver licensing agency of another jurisdiction, the applicant, licensee, or
16 identification card or identification certificate holder or, if the applicant, licensee, or
17 identification card holder is under 18 years of age, his or her parent or guardian.

18 **SECTION 110.** 343.43 (2) of the statutes is amended to read:

19 343.43 **(2)** Whenever a license ~~or~~ identification card which, or identification
20 certificate that appears to be altered is displayed to a law enforcement officer, agent
21 of the secretary or the court, that person shall take possession of the license ~~or~~
22 identification card, or identification certificate and return it to the department for
23 cancellation. A notation of change of address properly endorsed on the license under
24 s. 343.22 shall not of itself be reason to consider the license altered.

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1 temporary. The card shall contain physical security features consistent with any
2 requirement under federal law. The card may serve as a record of gift under s. 157.06
3 (2) (t) and the holder may affix a sticker thereto as provided in s. 343.175 (3). The
4 card may also serve as a record of refusal under s. 157.06 (2) (u). The card shall
5 contain the holder's photograph and, if applicable, shall be of the design specified
6 under s. 343.17 (3) (a) 12.

7 **SECTION 114.** 343.50 (4) of the statutes is amended to read:

8 343.50 (4) APPLICATION. The application for an identification card shall include
9 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
10 and (er), and such further information as the department may reasonably require to
11 enable it to determine whether the applicant is entitled by law to an identification
12 card. The Except as provided in sub. (4g), the department shall, as part of the
13 application process, take a photograph of the applicant to comply with sub. (3). ~~No~~
14 Except as provided in sub. (4g), no application may be processed without the
15 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
16 punishable as provided in s. 343.14 (9).

17 **SECTION 115.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20
18 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

19 343.50 (4) APPLICATION. The application for an identification card shall include
20 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
21 and (es), and such further information as the department may reasonably require to
22 enable it to determine whether the applicant is entitled by law to an identification
23 card. Except with respect to renewals described in s. 343.165 (4) (d), the department
24 shall, as part of the application process, take a digital photograph including facial
25 image capture of the applicant to comply with sub. (3). Except with respect to

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1 renewals described in s. 343.165 (4) (d), no application may be processed without the
2 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
3 punishable as provided in s. 343.14 (9).

4 **SECTION 116.** 343.50 (4g) of the statutes is created to read:

5 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application may be
6 processed and an original or renewal identification card issued under this section
7 without a photograph being taken to comply with subs. (3) and (4) to an applicant
8 who requests the identification card without charge under sub. (5) or (6) and who
9 provides to the department an affidavit stating that the applicant has a sincerely
10 held religious belief against being photographed; identifying the religion to which he
11 or she belongs or the tenets of which he or she adheres to; stating that the tenets of
12 the religion prohibit him or her from being photographed; and stating that he or she
13 requests the identification card for the purpose of voting.

14 **SECTION 117.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act
15 (this act), is repealed.

16 **SECTION 118.** 343.50 (5) (a) 1. of the statutes is amended to read:

17 343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card and
18 for the reinstatement of an identification card after cancellation under sub. (10) shall
19 be \$18 or, upon request of the applicant, without charge.

20 **SECTION 119.** 343.50 (5) (a) 1. of the statutes, as affected by 2009 Wisconsin Act
21 28, section 2958, and 2011 Wisconsin Act (this act), is repealed and recreated to
22 read:

23 343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card, for
24 renewal of a card, and for the reinstatement of an identification card after
25 cancellation under sub. (10) shall be \$18.

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1 **SECTION 120.** 343.50 (6) of the statutes is amended to read:

2 343.50 **(6)** RENEWAL. At least 30 days prior to the expiration of the card, the
3 department shall mail a renewal application to the last-known address of each
4 identification card holder. The department shall include with the application
5 information, as developed by all organ procurement organizations in cooperation
6 with the department, that promotes anatomical donations and which relates to the
7 anatomical donation opportunity available under s. 343.175. The fee for a renewal
8 identification card shall be \$18, which or, upon request of the identification card
9 holder, without charge. The renewal identification card shall be valid for 8 years,
10 except that a card that is issued to a person who is not a United States citizen and
11 who provides documentary proof of legal status as provided under s. 343.14 (2) (er)
12 shall expire on the date that the person's legal presence in the United States is no
13 longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does
14 not state the date that the person's legal presence in the United States is no longer
15 authorized, then the card shall be valid for 8 years.

16 **SECTION 121.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,
17 section 3383, and 2011 Wisconsin Act (this act), is repealed and recreated to read:

18 343.50 **(6)** RENEWAL NOTICE. At least 30 days prior to the expiration of an
19 identification card, the department shall mail a renewal application to the
20 last-known address of the card holder. If the card was issued or last renewed based
21 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)
22 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165
23 (4) (c). The department shall include with the application information, as developed
24 by all organ procurement organizations in cooperation with the department, that

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1 promotes anatomical donations and which relates to the anatomical donation
2 opportunity available under s. 343.175.

3 **SECTION 122.** 343.505 of the statutes is created to read:

4 **343.505 Identification certificates. (1) ISSUANCE.** (a) The department shall
5 issue, as provided in this section, identification certificates to eligible applicants
6 upon proper application and payment of all required fees.

7 (b) A person is eligible for an identification certificate under this section if the
8 person provides the information that is required to be provided by an elector under
9 s. 6.33 (1) and signs a statement affirming that the information is correct.

10 **(2) APPLICATION.** (a) Every application to the department for an identification
11 certificate or for renewal of an identification certificate shall be made upon the
12 appropriate form furnished by the department and shall be accompanied by all
13 required fees. The application for an identification certificate shall include all of the
14 following:

15 1. The information required to be provided under sub. (1) (b), with a signed
16 statement affirming that the information is correct.

17 2. The applicant's color of eyes, color of hair, sex, height, weight, and race.

18 3. a. Except as provided in subd. 3. b., the applicant's social security number.

19 b. If the applicant does not have a social security number, a statement made
20 or subscribed under oath or affirmation, on a form prescribed by the department,
21 that the applicant does not have a social security number. An identification
22 certificate issued or renewed in reliance on a statement submitted under this subd.

23 3. b. is invalid if the statement is false.

24 4. A statement as to whether the applicant holds any valid operator's license
25 or identification card issued by this state or any other jurisdiction.

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1 5. A designation or reversal of a designation under s. 85.103 (2), if the applicant
2 chooses to make such designation or reversal.

3 6. Satisfactory proof of the applicant's name and date of birth.

4 7. Documentary proof that the applicant is a citizen of the United States.

5 8. Such further information as the department may reasonably require to
6 enable it to identify the applicant and to determine whether the applicant is entitled
7 by law to an identification certificate.

8 (b) 1. Except as provided in subd 2., the department shall, as part of the
9 application process, take a photograph of the applicant, which shall appear on the
10 identification certificate as provided in sub. (3). Except as provided in subd. 2., no
11 application may be processed without the photograph being taken.

12 2. An application for an identification certificate may be processed and an
13 original or renewal identification certificate issued under this section without a
14 photograph being taken if the applicant requests an identification certificate without
15 charge and provides to the department an affidavit stating that the applicant has a
16 sincerely held religious belief against being photographed; identifying the religion
17 to which he or she belongs or the tenets of which he or she adheres to; stating that
18 the tenets of the religion prohibit him or her from being photographed; and stating
19 that he or she requests the identification certificate for the purpose of voting.

20 (c) Names, addresses, and social security numbers obtained by the department
21 under this subsection shall be provided to the department of revenue for the purpose
22 of administering ss. 71.93 and 71.935 and state taxes.

23 **(3) DESIGN AND CONTENTS OF IDENTIFICATION CERTIFICATES.** (a) Identification
24 certificates shall be the same size as an operator's license but shall be of a design that
25 is readily distinguishable from the design of operator's licenses and identification

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1 cards. Each identification certificate shall bear upon it the words
2 “IDENTIFICATION CERTIFICATE.” Identification certificates shall clearly state
3 on their face that they may not be accepted by any federal agency for federal
4 identification or any other official purpose and shall use a unique design or color
5 indicator to alert federal agency and other law enforcement personnel that they may
6 not be accepted for any such purpose.

7 (b) The front side of the identification certificate shall include all of the
8 following:

- 9 1. The name, date of birth, and residence address of the person.
- 10 2. Except as provided in sub. (2) (b) 2., a color photograph of the person.
- 11 3. A physical description of the person, including sex, height, weight, and hair
12 and eye color, but excluding any mention of race.
- 13 4. The person’s signature.
- 14 5. The name of this state.
- 15 6. A unique identifying identification certificate number assigned by the
16 department.
- 17 7. The date of issuance of the identification certificate.
- 18 8. The date of expiration of the identification certificate.
- 19 9. If the person has not attained the legal drinking age, as defined in s. 125.02
20 (8m), at the time of issuance of the identification certificate, a distinctive appearance
21 specified by the department that clearly identifies to the public that the person had
22 not attained the legal drinking age at the time of issuance of the identification
23 certificate.

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1 **(4) VALID PERIOD; FEES.** (a) 1. Except as provided in subd. 3., the fee for an
2 original identification certificate, for renewal of an identification certificate, and for
3 reinstatement of an identification certificate after cancellation is \$18.

4 2. Except as provided in subd. 3., the fee for a duplicate identification certificate
5 is \$6.

6 3. If the applicant requests that the identification certificate be issued,
7 renewed, or reinstated, or a duplicate identification certificate be issued, without
8 charge, the department may not charge any fee for the identification certificate.

9 (b) An original or reinstated identification certificate shall be valid for the
10 succeeding period of 8 years from the applicant's next birthday after the date of
11 issuance, and a renewed identification certificate shall be valid for the succeeding
12 period of 8 years from the certificate's last expiration date.

13 (c) At least 30 days prior to the expiration of an identification certificate, the
14 department shall mail a renewal application to the last-known address of the
15 certificate holder.

16 **(5) RECORDS AND OTHER INFORMATION.** (a) The department shall maintain
17 records of all identification certificate holders under this section in a manner
18 prescribed by the department by rule.

19 (b) The department may not disclose any record or other information
20 concerning or relating to an applicant or identification certificate holder to any
21 person other than a court, district attorney, county corporation counsel, city, village,
22 or town attorney, law enforcement agency, driver licensing agency of another
23 jurisdiction, or the applicant or identification certificate holder. Except for
24 photographs for which disclosure is authorized under s. 343.237, persons entitled to
25 receive any record or other information under this paragraph shall not disclose the

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1 record or other information to other persons or agencies. This paragraph does not
2 prohibit the disclosure of a person's name or address, of the name or address of a
3 person's employer, or of financial information that relates to a person when
4 requested under s. 49.22 (2m) by the department of children and families or a county
5 child support agency under s. 59.53 (5).

6 **(6) CANCELLATION.** (a) The department shall cancel an identification certificate
7 under any of the following circumstances:

8 1. Whenever the department determines that the identification certificate was
9 issued upon an application that contains a false statement as to any material matter.

10 2. Whenever the department determines that an identification certificate has
11 been altered and returned for cancellation under s. 343.43 (2).

12 (b) The department may order any person whose identification certificate has
13 been canceled to surrender the certificate to the department. The department may
14 take possession of any identification certificate required to be canceled or may direct
15 any traffic officer to take possession of the identification certificate and return it to
16 the department.

17 **(7) UNLAWFUL USE.** No person may do any of the following:

18 (a) Represent as valid any canceled, fictitious, or fraudulently altered
19 identification certificate.

20 (b) Sell or lend his or her identification certificate to any other person or
21 knowingly permit the use of his or her identification certificate by another.

22 (c) Represent as one's own, any identification certificate not issued to him or
23 her.

24 (d) Permit any unlawful use of an identification certificate issued to him or her.

25 (e) Reproduce by any means whatever an identification certificate.

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1 (f) Deface or alter an identification certificate.

2 **(8) PENALTY.** Any person who fails to comply with an order under sub. (6) (b)
3 or who violates sub. (7) may be required to forfeit not more than \$1,000.

4 **(9) RULES.** The department shall promulgate rules to administer and enforce
5 this section. Subject to subs. (2) and (3), these rules shall prescribe the form of the
6 application for an identification certificate and specify the form and contents of the
7 identification certificate. These rules shall also provide a procedure under which
8 identification certificates are generally issued over the counter to an applicant on the
9 same day that the department receives an application. The rules shall require the
10 design of identification certificates to be resistant to tampering and forgery. The
11 rules shall also incorporate the requirements under sub. (5) (a). The department
12 shall attempt to ensure that these rules become effective at the same time as the
13 provisions of this section other than this subsection.

14 **SECTION 123. Nonstatutory provisions.**

15 (1) In conjunction with the first regularly scheduled primary and election at
16 which the voter identification requirements of this act initially apply, the
17 government accountability board shall conduct a public informational campaign for
18 the purpose of informing prospective voters of the voter identification requirements
19 of this act.

20 **SECTION 124. Initial applicability.**

21 (1) This act first applies with respect to voting at the first spring or September
22 primary election that follows the effective date of this subsection by at least 60 days.

23 **SECTION 125. Effective dates.** This act takes effect on the day after
24 publication, except as follows:



2011 ASSEMBLY BILL 92

April 12, 2011 – Introduced by Representatives HONADEL and KAPENGA. Referred to Committee on Education.

1 **AN ACT** *to repeal* 119.23 (2) (b); *to renumber and amend* 119.23 (7) (d) 1.; *to*
2 *amend* 119.23 (2) (a) (intro.), 119.23 (2) (a) 3. and 119.23 (10) (a) 2.; and *to*
3 *create* 119.23 (2) (a) 3m. and 119.23 (7) (d) 1. a. of the statutes; **relating to:**
4 eliminating the enrollment cap for the Milwaukee Parental Choice Program
5 and extending the program to permit private schools located in Milwaukee
6 County to participate.

Analysis by the Legislative Reference Bureau

Under current law, only private schools located in the city of Milwaukee may participate in the Milwaukee Parental Choice Program (MPCP), and the number of pupils who may enroll in private schools under the MPCP is limited to 22,500. This bill eliminates the enrollment limit and provides that any private school located in Milwaukee County may participate in the MPCP.

Currently, a private school that wishes to participate in the MPCP must notify the Department of Public Instruction (DPI) of its intent to participate in the MPCP by February 1 of the previous school year. This bill permits private schools located in Milwaukee County and that wish to participate in the MPCP in the 2011–12 school year to notify DPI of its intent to participate by August 1, 2011.

ASSEMBLY BILL 92

For further information see the *state and local* 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.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

2 119.23 (2) (a) (intro.) ~~Subject to par. (b), any~~ Any pupil in grades kindergarten
3 to 12 who resides within the city may attend, at no charge, any private school located
4 in the city Milwaukee County if all of the following apply:

5 **SECTION 2.** 119.23 (2) (a) 3. of the statutes is amended to read:

6 119.23 (2) (a) 3. ~~The~~ Except as provided in subd. 3m., the private school notified
7 the state superintendent of its intent to participate in the program under this
8 section, and paid a nonrefundable fee set by the department, by February 1 of the
9 previous school year. The notice shall specify the number of pupils participating in
10 the program under this section for which the school has space. The department shall
11 by rule set the fee charged under this subdivision at an amount such that the total
12 fee revenue covers the costs of employing one full-time auditor to evaluate the
13 financial information submitted by the private schools under sub. (7) (am) and (d) 2.
14 and 3.

15 **SECTION 3.** 119.23 (2) (a) 3m. of the statutes is created to read:

16 119.23 (2) (a) 3m. For a private school located in Milwaukee County that
17 intends to participate in the program under this section in the 2011–12 school year,
18 the private school notified the state superintendent of its intent to participate, and
19 paid the nonrefundable fee, set by the department under subd. 3., by August 1, 2011.
20 The notice shall specify the number of pupils participating in the program under this
21 section for which the school has space.

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1 **SECTION 4.** 119.23 (2) (b) of the statutes is repealed.

2 **SECTION 5.** 119.23 (7) (d) 1. of the statutes is renumbered 119.23 (7) (d) 1. b. and
3 amended to read:

4 119.23 (7) (d) 1. b. A copy of the school's current certificate of occupancy issued
5 by the ~~city~~ municipality within which the school is located. If the private school
6 moves to a new location, the private school shall submit a copy of the new certificate
7 of occupancy issued by the ~~city~~ municipality within which the school is located to the
8 department before the attendance of pupils at the new location and before the next
9 succeeding date specified in s. 121.05 (1) (a). A temporary certificate of occupancy
10 does not meet the requirement of this subdivision.

11 **SECTION 6.** 119.23 (7) (d) 1. a. of the statutes is created to read:

12 119.23 (7) (d) 1. a. In this subdivision, "municipality" has the meaning given
13 in s. 5.02 (11).

14 **SECTION 7.** 119.23 (10) (a) 2. of the statutes is amended to read:

15 119.23 (10) (a) 2. Failed to provide the notice or pay the fee required under sub.
16 (2) (a) 3. or 3m., or provide the information required under sub. (7) (am) or (d), by the
17 date or within the period specified.

18 **SECTION 8. Initial applicability.**

19 (1) The treatment of section 119.23 (2) (a) (intro.) of the statutes, with respect
20 to the location of a private school, first applies to pupils who participate in the
21 Milwaukee parental choice program in the 2011–12 school year.

22 (2) The treatment of section 119.23 (2) (a) (intro.) and (b) of the statutes, with
23 respect to the number of pupils who may participate in the Milwaukee parental
24 choice program, first applies to pupils who participate in the Milwaukee parental
25 choice program in the 2011–12 school year.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2027/2
CMH&RNK:kjf/cjs/wlj:rs

2011 SENATE BILL 90

May 10, 2011 – Introduced by Senators GALLOWAY, GROTHMAN, HARSDORF, HOLPERIN, KAPANKE, LAZICH, LEIBHAM, MOULTON and ZIPPERER, cosponsored by Representatives MURSAU, WILLIAMS, BIES, KLEEFISCH, BALLWEG, BERNIER, BROOKS, ENDSLEY, HONADEL, JACQUE, KERKMAN, KESTELL, KNILANS, T. LARSON, LEMAHIEU, MURTHA, NASS, NERISON, NYGREN, A. OTT, PETERSEN, PETRYK, RIVARD, SEVERSON, SPANBAUER, STEINEKE, STRACHOTA, TAUCHEN and VAN ROY. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **AN ACT** *to repeal* 941.237 (4), 948.605 (1) (a) and (am) and 948.605 (2) (b) 1. to
2 5. and 7.; *to renumber* 167.30, 941.295 (1), 943.13 (1e) (a) and 947.01; *to*
3 *renumber and amend* 23.33 (3) (e), 29.089 (2), 29.091, 29.314 (4) (b) 1., 29.621
4 (4), 440.26 (3m), 941.23, 941.235 (2), 941.295 (2) (d), 941.295 (4), 943.13 (2),
5 948.605 (2) (b) 6. and 948.605 (2) (b) 8.; *to amend* 48.685 (2) (bb), 50.065 (2) (bb),
6 59.54 (6), 66.0409 (3) (b), 165.60, 165.81 (2), 165.82 (1) (intro.), 165.82 (2),
7 167.31 (1) (b), 813.12 (6) (am) 1., 813.122 (9) (am) 1., 813.125 (5r) (a), 895.527
8 (5) (a), 938.396 (2g) (n), 939.22 (10), 941.295 (2) (intro.), 943.13 (1m) (b), 943.13
9 (3), 947.011 (2) (a) 1., 947.011 (2) (c) 1., 947.011 (2) (d), 948.60 (1), 948.605 (2)
10 (b) (intro.), 968.255 (1) (a) 2., 971.37 (1m) (a) 2. and 973.055 (1) (a) 1.; *to repeal*
11 *and recreate* 29.314 (3) (b) 1.; and *to create* 20.455 (2) (gs), 20.455 (2) (gu),
12 23.33 (3) (e) 1., 23.33 (3) (e) 2., 23.33 (3) (e) 3., 23.33 (3) (e) 4., 29.089 (2) (a),
13 29.089 (2) (b), 29.089 (2) (c), 29.089 (2) (d), 29.091 (2), 29.314 (4) (b) 1g., 29.621
14 (4) (a), 29.621 (4) (b), 29.621 (4) (c), 29.621 (4) (d), 29.621 (6), 66.0409 (6), 165.25

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1 (12), 167.30 (2), 167.31 (4) (ar), 167.31 (4) (at), 175.48, 175.49, 175.60, 440.26
2 (3m) (a), 440.26 (3m) (b), 440.26 (3m) (c), 440.26 (3m) (d), 941.23 (1), 941.23 (2)
3 (b), 941.23 (2) (c), 941.23 (2) (d), 941.23 (2) (e), 941.23 (3), 941.235 (2) (c), 941.235
4 (2) (d), 941.235 (2) (e), 941.237 (3) (cr), 941.237 (3) (ct), 941.237 (3) (cx), 941.295
5 (1c) (b) and (c), 941.295 (2) (d) 2., 941.295 (2g), 941.295 (2r), 943.13 (1e) (aL),
6 943.13 (1e) (bm), 943.13 (1e) (cm), 943.13 (1e) (g), 943.13 (1m) (c), 943.13 (1n),
7 943.13 (2) (bm), 946.71, 947.01 (2) and 948.605 (2) (b) 1m. and 1r. of the statutes;
8 **relating to:** carrying a concealed weapon; licenses authorizing persons to carry
9 concealed weapons; possessing or transporting a firearm, bow, or crossbow
10 under certain circumstances; disorderly conduct limitations; photographic
11 identification cards for former law enforcement officers; providing an
12 exemption from emergency rule procedures; requiring the exercise of
13 rule-making authority; making appropriations; and providing penalties.

Analysis by the Legislative Reference Bureau

This bill creates a licensing system under which an individual is permitted to carry a concealed weapon. The bill also makes changes in Wisconsin law to account for a federal law that requires the state to permit an individual who works as or who formerly worked as a federal, state, tribal, or local law enforcement officer in Wisconsin or in any other state to carry a concealed firearm. This bill also makes changes to laws regulating firearms and other weapons.

CURRENT LAW REGARDING THE POSSESSION OF WEAPONS***Wisconsin law***

In general, under current Wisconsin law, no person may go armed with a concealed and dangerous weapon. The “going armed with” language includes cases in which a person is carrying a concealed weapon but has not gone and is not going anywhere with it and cases in which a weapon is readily accessible to a person in a car. A person who violates the prohibition may be fined not more than \$10,000 or imprisoned for not more than nine months or both. This prohibition has many exceptions. First, Wisconsin law provides an exception for law enforcement officers. Second, under *State v. Hamdan*, 2003 WI 113, 264 Wis. 2d 433, this prohibition is unconstitutional if applied to a person carrying a concealed weapon at his or her own business when: 1) the person’s interest in carrying a concealed weapon substantially

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outweighs the state's interest in enforcing the concealed weapons law; 2) the person has no other reasonable means to keep and handle the weapon; and 3) the person is not motivated by an unlawful purpose in concealing it. In *Hamdan*, the court also indicated that the constitutional right to keep and bear arms for security allows a person to carry a concealed weapon under certain circumstances in his or her own home.

Current Wisconsin law also prohibits, with certain exceptions, going armed with or possessing a firearm in a public building, tavern, state park, or wildlife refuge or within 1,000 feet of the grounds of a school. In addition, current Wisconsin law prohibits, with certain exceptions, carrying a firearm, bow, or crossbow in most vehicles unless the firearm is unloaded and encased or the bow or crossbow is unstrung and encased. A person who violates one of these prohibitions is subject to civil or criminal penalties.

Federal law

Under federal law, qualified current law enforcement officers and qualified former law enforcement officers may carry concealed firearms that have been shipped or transported in interstate or foreign commerce, regardless of any state prohibition.

Federal law specifies the criteria that a person must meet to be a qualified current law enforcement officer or a qualified former law enforcement officer. To be the first, a person must: 1) be employed by a government agency; 2) be a law enforcement officer; 3) be authorized by the agency to carry a firearm; 4) not be the subject of any disciplinary action by the agency that could result in the loss or suspension of law enforcement authority; 5) not be under the influence of alcohol or other drugs; 6) not be prohibited under federal law from possessing a firearm; and 7) meet all standards, if any, established by the agency to qualify the person on a regular basis to use a firearm. For a person to be a qualified former law enforcement officer, all of the following must apply: 1) the person separated from service with a government agency as a law enforcement officer in good standing; 2) before separating from service, the person served as a law enforcement officer for an aggregate of 10 years or more or separated due to a service-connected disability after completing any applicable probationary period; 3) the person has not been found by a medical professional to be unqualified to be a law enforcement officer for reasons related to his or her mental health and has not acknowledged in an agreement with the law enforcement agency that formerly employed him or her that he or she is not qualified to be a law enforcement officer for reasons related to his or her mental health; 4) the person is not under the influence of alcohol or other drugs; 5) the person is not prohibited under federal law from possessing a firearm; and 6) during the most recent 12-month period, the person has met his or her home state's standards for qualification for active duty law enforcement officers to carry a firearm.

Under federal law, if a person is a qualified law enforcement officer, the prohibition contained in Wisconsin law regarding going armed with a concealed and dangerous weapon does not apply to his or her going armed with a concealed firearm if the person carries a photographic identification issued by the agency for which he or she works. If the person is a qualified former law enforcement officer, the

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prohibition does not apply to his or her going armed with a concealed firearm if the person carries either: 1) a photographic identification issued by the law enforcement agency from which the person separated from service as a law enforcement officer that indicates that, within the preceding 12 months, the person has met the standards set by the agency for qualification for active duty law enforcement officers to carry the type of firearm that the qualified former law enforcement officer is carrying concealed; or 2) both of the following: a) a photographic identification issued by the agency from which the person separated from service as a law enforcement officer; and b) a certification issued by the state in which the person resides or by a certified firearms instructor that is qualified to test active duty officers in that state that indicates that, within the preceding 12 months, the person has been found to meet either state standards or standards set by a law enforcement agency in the state for qualification for active duty law enforcement officers to carry the type of firearm that the qualified former law enforcement officer is carrying concealed.

Federal law also specifies that a state may: 1) permit private persons or entities to bar the possession of concealed firearms on their own property; and 2) prohibit or restrict the possession of firearms on any state or local government property, installation, base, building, or park.

HOW THE BILL CHANGES WISCONSIN'S CONCEALED WEAPONS LAW***Carrying a concealed weapon in your own home or business***

This bill permits a person to go armed with a concealed and dangerous weapon in his or her own home or place of business or on land that he or she owns, leases, or legally occupies.

Licenses to carry a concealed weapon

This bill creates a procedure by which a person may apply to the Department of Justice (DOJ) for a license to carry a concealed weapon. Specifically, the license authorizes a person to carry a concealed weapon (a handgun, an electric weapon, a knife other than a switchblade, or a billy club) anywhere in this state except in particular places. Accordingly, the bill amends other prohibitions previously discussed that relate to the use and possession of firearms to specify that they generally do not apply to licensees.

A person licensed under the bill is generally prohibited from carrying a concealed weapon or a weapon that is not concealed in a police station, sheriff's office, or state patrol station; in a prison or jail; in a courthouse; beyond the security checkpoint at an airport; and on the grounds of a school. A business owner or person in his or her own home may prohibit a licensee from carrying a concealed weapon into the business or home, an employer generally may prohibit an employee from carrying a concealed weapon in the course of the employee's employment, and the state or a local governmental unit may prohibit a licensee from carrying a firearm into a building that is owned, occupied, or controlled by the state or the local governmental unit.

Licensing requirements and procedure

Under the bill, DOJ must issue or renew a license to carry a concealed weapon to an applicant who is a resident of Wisconsin unless the applicant is less than 21

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years old or is prohibited from possessing a firearm under federal or state law. DOJ must conduct a background check of an applicant for a license or for a license renewal to determine if he or she is ineligible for a license.

Furthermore, the bill does all of the following:

1. Provides that, with certain exceptions, a license to carry a concealed weapon is valid for five years.

2. Requires each circuit court to notify DOJ of any court proceeding that would result in a suspension or revocation of a license if the subject of the proceeding had a license. DOJ must determine if the subject of such proceeding has a license and, if the subject does, DOJ must revoke the license if the subject is no longer eligible to have a license or suspend the license if the subject, after being charged with a misdemeanor, is ordered by the court not to possess a firearm.

3. Allows an individual who requires a license immediately to petition a court for such a license. A court may grant a license, which is valid for 30 days, if the court determines that immediate licensure is warranted to protect the individual from death or great bodily harm.

4. Provides an appeals process for a person whose application for a license is denied or whose license is suspended or revoked.

5. Requires DOJ to keep a list of licensees but specifies that DOJ may provide information from that list regarding a specific licensee only to law enforcement agencies and only in certain circumstances.

6. Requires a person who applies for a license to pay a \$13 background check fee and an application fee of up to \$52 to cover DOJ's costs in issuing the license. A person who applies to renew his or her license must pay the same background check fee and a renewal fee of up to \$27 to cover DOJ's costs in renewing the license.

7. Grants immunity from liability for acts done under the bill to DOJ, the Department of Transportation, and the employees of both departments; various court employees; businesses, nonprofit organizations, or individuals that do not prohibit persons from carrying concealed weapons on their property; and employers that do not prohibit employees from carrying concealed weapons during the course of employment.

8. Treats a permit, license, approval, or other authorization issued by another state in the same manner as a license issued under this bill if the individual who possesses the authorization submitted to a background check to determine if the individual is prohibited from possessing a firearm.

Penalties for certain offenses related to weapons

The bill establishes penalties for offenses that relate to concealed weapons or that are committed by licensees. First, a licensee or out-of-state licensee who fails to carry his or her license document or photographic identification, or to display either upon the request of a law enforcement officer, while the person is carrying a concealed weapon, may be required to forfeit \$25. Second, a licensee who, for a second or subsequent time, or an individual whose license is suspended or revoked who fails to notify DOJ of a change in address within 30 days of the change may be required to forfeit \$50. Third, a licensee who carries a concealed weapon in a place where the bill prohibits him or her from doing so may be fined not more than \$500

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or imprisoned for not more than 30 days or both. Fourth, a person who intentionally fails to relinquish a license document to DOJ after the license has been revoked must be fined not more than \$500 and may be imprisoned for not more than 30 days, or both. Fifth, a person who intentionally makes a false statement in an application for a license may be charged with false swearing, a Class H felony.

The bill also prohibits an individual from intentionally representing that an invalid license to carry a concealed weapon is valid; from selling, lending, or allowing another individual to use his or her license; from representing that a license belongs to the individual if it has not been issued to him or her; from permitting unlawful use of his or her license; from reproducing a license for unlawful purposes; or from altering a license. A person who violates one of these prohibitions is guilty of a misdemeanor and may be fined not more than \$10,000 or imprisoned for not more than nine months, or both.

Active duty and former law enforcement officers

This bill codifies the provisions of federal law that make the state concealed weapons prohibition inapplicable to active duty and former law enforcement officers under the circumstances specified in federal law as described above. To implement federal law, the bill also makes certain other state law prohibitions regarding the carrying of firearms inapplicable to an active duty or former law enforcement officer if he or she is carrying a concealed firearm under those same circumstances.

This bill also requires state and local law enforcement agencies to issue and renew certification cards to qualified former law enforcement officers who separated from service with those agencies and requires DOJ to issue and renew certification cards to qualified former federal law enforcement officers who reside in Wisconsin. The qualifications mirror those listed in federal law, including: the former officer was in good standing when he or she separated from service; the former officer served for a period of ten years, unless he or she separated earlier due to service-connected disability after completing any probationary period; the former officer has met certain standards for qualification for active duty law enforcement officers to carry certain types of firearms; and the former officer was not disqualified from law enforcement for reasons related to his or her mental health. The cards enable the former officers to carry concealed firearms in the manner provided under federal law. The law enforcement agencies or DOJ, whichever is issuing the certification card to the former officer, must include personal information about the former officer, including a photograph; must include a statement that the former officer has met certain standards for qualification for active duty law enforcement officers to carry the types of firearms that are listed on the certification card; and must provide an expiration date of 12 months after the certification card is issued or renewed.

If a former officer is carrying his or her valid certification card, he or she is exempt from the prohibitions against carrying a concealed weapon only if the following apply: 1) the former officer is not carrying a firearm that is not designated on the card or identification, if the card or identification includes such a designation, and the firearm is not a machine gun or a destructive device and he or she is not carrying a firearm silencer; 2) the former officer is not under the influence of an

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intoxicant; and 3) federal law does not prohibit the former officer from possessing a firearm.

OTHER LAWS REGARDING WEAPONS

This bill specifies that an individual does not violate the prohibition against disorderly conduct, or does not violate any local ordinance prohibiting disorderly conduct, by loading, carrying, or going armed with a firearm without regard to whether the firearm is loaded or whether the firearm is concealed or openly carried.

Current law imposes certain restrictions on the placement, possession, and transportation (carrying) of a firearm in or on a vehicle. The restrictions vary depending on the type of vehicle in which the firearm is carried. Generally, current law prohibits a person from carrying a firearm in or on a vehicle unless the firearm is unloaded and encased and prohibits a person from loading or discharging a firearm in or from a vehicle. This bill specifies that these restrictions do not apply to a person who carries a firearm in a vehicle, other than a commercial airplane, if the person is a qualified active duty or former law enforcement officer or a licensee and if the firearm is a handgun.

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 concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state and local* 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.** 20.455 (2) (gs) of the statutes is created to read:

2 20.455 (2) (gs) *Background check for licenses to carry concealed weapons.* All
3 moneys received as fee payments under s. 175.60 (7) (c) and (d) and (15) (b) 4. a. and
4 b. to provide services under s. 175.60.

5 **SECTION 2.** 20.455 (2) (gu) of the statutes is created to read:

6 20.455 (2) (gu) *Certification cards for carrying concealed weapons.* All moneys
7 received as fees under s. 175.49 (5m) to verify eligibility of, and to issue certification
8 cards to, former officers seeking to carry concealed weapons.

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1 **SECTION 3.** 23.33 (3) (e) of the statutes is renumbered 23.33 (3) (e) (intro.) and
2 amended to read:

3 23.33 **(3)** (e) (intro.) With any firearm in his or her possession unless it is
4 unloaded and enclosed in a carrying case, or any bow unless it is unstrung or enclosed
5 in a carrying case. This paragraph does not apply to any of the following:

6 **SECTION 4.** 23.33 (3) (e) 1. of the statutes is created to read:

7 23.33 **(3)** (e) 1. A person who is employed in this state by a public agency as a
8 law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

9 **SECTION 5.** 23.33 (3) (e) 2. of the statutes is created to read:

10 23.33 **(3)** (e) 2. A qualified out-of-state law enforcement officer, as defined in
11 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

12 **SECTION 6.** 23.33 (3) (e) 3. of the statutes is created to read:

13 23.33 **(3)** (e) 3. A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
14 (2) (c) 1. to 7. applies.

15 **SECTION 7.** 23.33 (3) (e) 4. of the statutes is created to read:

16 23.33 **(3)** (e) 4. A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
17 licensee, as defined in s. 175.60 (1) (g), who possesses a handgun, as defined in s.
18 175.60 (1) (bm).

19 **SECTION 8.** 29.089 (2) of the statutes is renumbered 29.089 (2) (intro.) and
20 amended to read:

21 29.089 **(2)** (intro.) Except as provided in sub. (3), no person may have in his or
22 her possession or under his or her control a firearm on land located in state parks or
23 state fish hatcheries unless the firearm is unloaded and enclosed within a carrying
24 case. This subsection does not apply to any of the following:

25 **SECTION 9.** 29.089 (2) (a) of the statutes is created to read:

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1 29.089 (2) (a) A person who is employed in this state by a public agency as a
2 law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

3 **SECTION 10.** 29.089 (2) (b) of the statutes is created to read:

4 29.089 (2) (b) A qualified out-of-state law enforcement officer, as defined in s.
5 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

6 **SECTION 11.** 29.089 (2) (c) of the statutes is created to read:

7 29.089 (2) (c) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
8 (2) (c) 1. to 7. applies.

9 **SECTION 12.** 29.089 (2) (d) of the statutes is created to read:

10 29.089 (2) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
11 licensee, as defined in s. 175.60 (1) (g), if the firearm is a handgun, as defined in s.
12 175.60 (1) (bm).

13 **SECTION 13.** 29.091 of the statutes is renumbered 29.091 (1) and amended to
14 read:

15 29.091 (1) No person may hunt or trap within any wildlife refuge established
16 under s. 23.09 (2) (b) or 29.621 (1), or, except as provided in sub. (2), have possession
17 or control of any gun, firearm, bow or crossbow unless the gun or firearm is unloaded,
18 the bow or crossbow is unstrung and the gun, firearm, bow or crossbow is enclosed
19 within a carrying case. The taking of predatory game birds and animals shall be done
20 as the department directs. All state wildlife refuge boundary lines shall be marked
21 by posts placed at intervals of not over 500 feet and bearing signs with the words
22 "Wisconsin Wildlife Refuge".

23 **SECTION 14.** 29.091 (2) of the statutes is created to read:

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1 29.091 (2) The prohibition in sub. (1), as it relates to the possession or control
2 of a loaded or unencased gun or firearm within a refuge established under s. 23.09
3 (2) (b), does not apply to any of the following:

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

6 (b) A qualified out-of-state law enforcement officer, as defined in s. 941.23 (1)
7 (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

8 (c) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1.
9 to 7. applies.

10 (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as
11 defined in s. 175.60 (1) (g), if the gun or firearm is a handgun, as defined in s. 175.60
12 (1) (bm).

13 **SECTION 15.** 29.314 (3) (b) 1. of the statutes is repealed and recreated to read:
14 29.314 (3) (b) 1. To any of the following:

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

17 b. A qualified out-of-state law enforcement officer, as defined in s. 941.23 (1)
18 (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

19 c. A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1. to
20 7. applies.

21 d. A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as
22 defined in s. 175.60 (1) (g), if the firearm is a handgun, as defined in s. 175.60 (1) (bm).

23 **SECTION 16.** 29.314 (4) (b) 1. of the statutes is renumbered 29.314 (4) (b) 1r. and
24 amended to read:

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1 29.314 (4) (b) 1r. To ~~a peace officer on official business~~, an employee of the
2 department on official business or a person authorized by the department to conduct
3 a game census.

4 **SECTION 17.** 29.314 (4) (b) 1g. of the statutes is created to read:

5 29.314 (4) (b) 1g. To any person under sub. (3) (b) 1.

6 **SECTION 18.** 29.621 (4) of the statutes is renumbered 29.621 (4) (intro.) and
7 amended to read:

8 29.621 (4) PROTECTION. (intro.) Except as provided in s. 29.091 (1), no owner
9 of a wildlife refuge, and no other person, may hunt or trap within the boundaries of
10 any wildlife refuge or have in his or her possession or under his or her control in the
11 wildlife refuge a gun, firearm, bow or crossbow, unless the gun or firearm is unloaded,
12 the bow or crossbow is unstrung and the gun, firearm, bow or crossbow is enclosed
13 within a carrying case. ~~Nothing in this section may prohibit, prevent or interfere~~
14 ~~with the department in the destruction of injurious animals.~~ This subsection, as it
15 relates to the possession or control of a loaded or unencased firearm, does not apply
16 to any of the following:

17 **SECTION 19.** 29.621 (4) (a) of the statutes is created to read:

18 29.621 (4) (a) A person who is employed in this state by a public agency as a
19 law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

20 **SECTION 20.** 29.621 (4) (b) of the statutes is created to read:

21 29.621 (4) (b) A qualified out-of-state law enforcement officer, as defined in s.
22 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

23 **SECTION 21.** 29.621 (4) (c) of the statutes is created to read:

24 29.621 (4) (c) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
25 (2) (c) 1. to 7. applies.

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1 **SECTION 22.** 29.621 (4) (d) of the statutes is created to read:

2 29.621 (4) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
3 licensee, as defined in s. 175.60 (1) (g), if the gun or firearm is a handgun, as defined
4 in s. 175.60 (1) (bm).

5 **SECTION 23.** 29.621 (6) of the statutes is created to read:

6 29.621 (6) INJURIOUS ANIMALS. Nothing in this section may prohibit, prevent,
7 or interfere with the department in the destruction of injurious animals.

8 **SECTION 24.** 48.685 (2) (bb) of the statutes is amended to read:

9 48.685 (2) (bb) If information obtained under par. (am) or (b) 1. indicates a
10 charge of a serious crime, but does not completely and clearly indicate the final
11 disposition of the charge, the department, county department, agency contracted
12 with under s. 48.651 (2), child welfare agency, school board, or entity shall make
13 every reasonable effort to contact the clerk of courts to determine the final disposition
14 of the charge. If a background information form under sub. (6) (a) or (am) indicates
15 a charge or a conviction of a serious crime, but information obtained under par. (am)
16 or (b) 1. does not indicate such a charge or conviction, the department, county
17 department, agency contracted with under s. 48.651 (2), child welfare agency, school
18 board, or entity shall make every reasonable effort to contact the clerk of courts to
19 obtain a copy of the criminal complaint and the final disposition of the complaint.
20 If information obtained under par. (am) or (b) 1., a background information form
21 under sub. (6) (a) or (am), or any other information indicates a conviction of a
22 violation of s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01 (1), or 947.013
23 obtained not more than 5 years before the date on which that information was
24 obtained, the department, county department, agency contracted with under s.
25 48.651 (2), child welfare agency, school board, or entity shall make every reasonable

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1 effort to contact the clerk of courts to obtain a copy of the criminal complaint and
2 judgment of conviction relating to that violation.

3 **SECTION 25.** 50.065 (2) (bb) of the statutes is amended to read:

4 50.065 (2) (bb) If information obtained under par. (am) or (b) indicates a charge
5 of a serious crime, but does not completely and clearly indicate the final disposition
6 of the charge, the department or entity shall make every reasonable effort to contact
7 the clerk of courts to determine the final disposition of the charge. If a background
8 information form under sub. (6) (a) or (am), or any disclosure made pursuant to a
9 disclosure policy described under sub. (6) (am), indicates a charge or a conviction of
10 a serious crime, but information obtained under par. (am) or (b) does not indicate
11 such a charge or conviction, the department or entity shall make every reasonable
12 effort to contact the clerk of courts to obtain a copy of the criminal complaint and the
13 final disposition of the complaint. If information obtained under par. (am) or (b), a
14 background information form under sub. (6) (a) or (am), any disclosure made
15 pursuant to a disclosure policy described under sub. (6) (am), or any other
16 information indicates a conviction of a violation of s. 940.19 (1), 940.195, 940.20,
17 941.30, 942.08, 947.01 (1), or 947.013 obtained not more than 5 years before the date
18 on which that information was obtained, the department or entity shall make every
19 reasonable effort to contact the clerk of courts to obtain a copy of the criminal
20 complaint and judgment of conviction relating to that violation.

21 **SECTION 26.** 59.54 (6) of the statutes is amended to read:

22 59.54 (6) PEACE AND ORDER. The board may enact and enforce ordinances to
23 preserve the public peace and good order within the county including, but not limited
24 by enumeration, ordinances prohibiting conduct that is the same as or similar to

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1 conduct that is prohibited by ss. 947.01 (1) and 947.02, and provide a forfeiture for
2 a violation of the ordinances.

3 **SECTION 27.** 66.0409 (3) (b) of the statutes is amended to read:

4 66.0409 (3) (b) Nothing in this section prohibits a city, village or town that is
5 authorized to exercise village powers under s. 60.22 (3) from enacting an ordinance
6 or adopting a resolution that restricts the discharge of a firearm. Any ordinance or
7 resolution that restricts the discharge of a firearm does not apply and may not be
8 enforced if the actor's conduct is justified or, had it been subject to a criminal penalty,
9 would have been subject to a defense described in s. 939.45.

10 **SECTION 28.** 66.0409 (6) of the statutes is created to read:

11 66.0409 (6) No person may be in violation of, or be charged with a violation of,
12 an ordinance of a political subdivision relating to disorderly conduct or other
13 inappropriate behavior for loading, carrying, or going armed with a firearm, without
14 regard to whether the firearm is loaded or is concealed or openly carried. Any
15 ordinance in violation of this subsection does not apply and may not be enforced.

16 **SECTION 29.** 165.25 (12) of the statutes is created to read:

17 165.25 (12) RULES REGARDING CONCEALED WEAPONS LICENSES. Promulgate by
18 rule a list of states that issue a permit, license, approval, or other authorization to
19 carry a concealed weapon if the permit, license, approval, or other authorization
20 requires, or designates that the holder chose to submit to, a background search that
21 is comparable to a background check as defined in s. 175.60 (1) (ac).

22 **SECTION 30.** 165.60 of the statutes is amended to read:

23 **165.60 Law enforcement.** The department of justice is authorized to enforce
24 ss. 101.123 (2), (2m), and (8), 175.60 (17) (e), 944.30, 944.31, 944.33, 944.34, 945.02
25 (2), 945.03 (1m), and 945.04 (1m) and ch. 108 and, with respect to a false statement

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1 submitted or made under s. 175.60 (7) (b) or (15) (b) 2., to enforce s. 946.32 and is
2 invested with the powers conferred by law upon sheriffs and municipal police officers
3 in the performance of those duties. This section does not deprive or relieve sheriffs,
4 constables, and other local police officers of the power and duty to enforce those
5 sections, and those officers shall likewise enforce those sections.

6 **SECTION 31.** 165.81 (2) of the statutes is amended to read:

7 165.81 (2) Any electric weapon, as defined in s. 941.295 (4) (1c) (a), in the
8 possession of the laboratories shall either be destroyed or be turned over to an agency
9 authorized to have electric weapons under s. 941.295 (2).

10 **SECTION 32.** 165.82 (1) (intro.) of the statutes is amended to read:

11 165.82 (1) (intro.) Notwithstanding s. 19.35 (3), the department of justice shall
12 impose the following fees, plus any surcharge required under sub. (1m), for criminal
13 history searches for purposes unrelated to criminal justice or to s. 175.35, 175.49, or
14 175.60:

15 **SECTION 33.** 165.82 (2) of the statutes is amended to read:

16 165.82 (2) ~~Except as provided in s. 175.35, the~~ The department of justice shall
17 not impose fees for criminal history searches for purposes related to criminal justice.

18 **SECTION 34.** 167.30 of the statutes is renumbered 167.30 (1).

19 **SECTION 35.** 167.30 (2) of the statutes is created to read:

20 167.30 (2) Subsection (1) does not apply to the discharge of a firearm if the
21 actor's conduct is justified or, had it been subject to a criminal penalty, would have
22 been subject to a defense described in s. 939.45.

23 **SECTION 36.** 167.31 (1) (b) of the statutes is amended to read:

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1 167.31 (1) (b) “Encased” means enclosed in a case ~~that is expressly made for~~
2 ~~the purpose of containing a firearm and~~ that is completely zipped, snapped, buckled,
3 tied or otherwise fastened with no part of the firearm exposed.

4 **SECTION 37.** 167.31 (4) (ar) of the statutes is created to read:

5 167.31 (4) (ar) The restrictions that apply to firearms under sub. (2) (a), (b), and
6 (c), and, if the aircraft is not a commercial aircraft, sub. (3) (a) and (b), do not apply
7 to any of the following if the firearm is a handgun, as defined in s. 175.60 (1) (bm):

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

10 2. A qualified out-of-state law enforcement officer, as defined in s. 941.23 (1)
11 (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

12 3. A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1. to
13 7. applies.

14 4. A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as
15 defined in s. 175.60 (1) (g).

16 **SECTION 38.** 167.31 (4) (at) of the statutes is created to read:

17 167.31 (4) (at) Subsections (2) (c) and (d) and (3) (b) do not apply to the
18 discharge of a firearm if the actor’s conduct is justified or, had it been subject to a
19 criminal penalty, would have been subject to a defense described in s. 939.45.

20 **SECTION 39.** 175.48 of the statutes is created to read:

21 **175.48 Law enforcement officer identification cards. (1)** In this section,
22 “Wisconsin law enforcement agency” has the meaning given in s. 175.46 (1) (f).

23 **(2)** If a Wisconsin law enforcement agency issues photographic identification
24 cards to its officers, it may not require an officer to relinquish his or her card when

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1 the officer separates from service with the Wisconsin law enforcement agency unless
2 one of the following applies:

3 (a) The officer may not lawfully possess a firearm under federal law.

4 (b) The officer did not separate from service in good standing as a law
5 enforcement officer with the agency.

6 (c) The officer served as a law enforcement officer for an aggregate of less than
7 10 years. This paragraph does not apply if the officer, after completing any
8 applicable probationary period of service with the agency, separated from service
9 with the agency due to a service-connected disability, as determined by the agency.

10 (d) 1. A qualified medical professional employed by the law enforcement agency
11 has found the officer to be unqualified to be a law enforcement officer for reasons
12 related to the officer's mental health.

13 2. The officer has entered into an agreement with the law enforcement agency
14 from which he or she is separating from service in which the officer acknowledges
15 that he or she is not qualified to be a law enforcement officer for reasons related to
16 the officer's mental health and in which the officer declines the photographic
17 identification for that reason.

18 (3) Unless sub. (2) (a), (b), (c), or (d) applies, if a Wisconsin law enforcement
19 agency does not issue photographic identification cards to its officers, it shall issue
20 such a card to an officer who separates from service with that agency upon the
21 separating officer's request and at his or her expense.

22 (4) This section does not restrict the right of an officer who has separated from
23 service to go armed with a firearm that is not concealed.

24 **SECTION 40.** 175.49 of the statutes is created to read:

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1 **175.49 Former law enforcement officers seeking to carry concealed**
2 **weapons. (1) DEFINITIONS.** In this section:

3 (a) “Department” means the department of justice.

4 (b) “Destructive device” has the meaning given in 18 USC 921 (a) (4).

5 (c) “Firearm silencer” has the meaning given in s. 941.298 (1).

6 (d) “Former federal law enforcement officer” means a person who separated
7 from service as a law enforcement officer at a federal law enforcement agency and
8 who resides in Wisconsin.

9 (e) “Former law enforcement officer” means a person who separated from
10 service as a law enforcement officer at a state or local law enforcement agency in
11 Wisconsin.

12 (f) “Law enforcement agency” means an agency that consists of one or more
13 persons employed by the federal government, including any agency described under
14 18 USC 926C (e) (2); a state, or a political subdivision of a state; the U.S. armed forces;
15 or the national guard, that has as its purposes the prevention and detection of crime
16 and the enforcement of laws or ordinances, and that is authorized to make arrests
17 for crimes.

18 (g) “Law enforcement officer” means a person who is employed by a law
19 enforcement agency for the purpose of engaging in, or supervising others engaging
20 in, the prevention, detection, investigation, or prosecution of, or the incarceration of
21 any person for, any violation of law and who has statutory powers of arrest.

22 (h) “Machine gun” has the meaning given in s. 941.27 (1).

23 **(2) CERTIFICATION OF FORMER LAW ENFORCEMENT OFFICERS.** (a) Upon the request
24 of a former law enforcement officer and at the expense of the former law enforcement
25 agency officer, a law enforcement agency that employed the former law enforcement

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1 officer shall, except as provided in par. (b), issue the former law enforcement officer
2 a certification card as described in sub. (4) stating all of the following:

3 1. The type of firearm the former law enforcement officer is certified to carry,
4 but no former law enforcement officer may be certified to carry a machine gun, a
5 firearm silencer, or a destructive device.

6 2. The former law enforcement officer has been found by the state, or by a
7 certified firearms instructor if such an instructor is qualified to conduct a firearms
8 qualification test for law enforcement officers in the state, to meet the standards for
9 qualification in firearms training for law enforcement officers to carry a firearm of
10 the type under subd. 1., that are established by the state or, if the state does not
11 establish standards, by the law enforcement agency from which the former law
12 enforcement officer separated.

13 3. The date on which the finding under subd. 2. was made and an expiration
14 date that is 12 months later than that date.

15 4. That, due to the finding under subd. 2., the former law enforcement officer
16 is qualified to carry a concealed firearm of the type under subd. 1.

17 (b) The law enforcement agency may not issue the former law enforcement
18 officer a certification card under par. (a) unless the law enforcement agency first
19 verifies all of the following:

20 1. The former law enforcement officer separated from service as a law
21 enforcement officer with the law enforcement agency in good standing.

22 2. The former law enforcement officer served as a law enforcement officer for
23 an aggregate of at least 10 years or the former law enforcement officer separated
24 from law enforcement service due to a service-connected disability, as determined
25 by the law enforcement agency, after completing any applicable probationary period.

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1 3. a. A qualified medical professional employed by the law enforcement agency
2 has not found the former law enforcement officer to be unqualified to be a law
3 enforcement officer for reasons related to the former officer's mental health.

4 b. The former law enforcement officer has not entered into an agreement with
5 the law enforcement agency from which he or she separated from service in which
6 the former officer acknowledges that he or she is not qualified to be a law enforcement
7 officer for reasons related to his or her mental health and in which he or she declines
8 the photographic identification for that reason.

9 4. The former law enforcement officer is not prohibited under federal law from
10 possessing a firearm as indicated by a search of the transaction information for
11 management of enforcement system and the national crime information center
12 system.

13 5. The former law enforcement officer has, during the previous 12 months at
14 his or her own expense, been found by the state, or by a certified firearms instructor
15 if such an instructor is qualified to conduct a firearms qualification test for law
16 enforcement officers in the state, to meet the standards for qualification in firearms
17 training for law enforcement officers to carry a firearm of the type under par. (a) 1.,
18 that are established by the state or, if the state does not establish standards, by the
19 law enforcement agency from which the former law enforcement officer separated.

20 **(3) CERTIFICATION OF FORMER FEDERAL LAW ENFORCEMENT OFFICERS.** (a) Upon the
21 request of a former federal law enforcement officer and at the expense of the former
22 federal law enforcement officer, the department shall, except as provided in par. (b),
23 issue the former federal law enforcement officer a certification card as described in
24 sub. (4) stating all of the following:

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1 1. The type of firearm the former federal law enforcement officer is certified to
2 carry, but no former federal law enforcement officer may be certified to carry a
3 machine gun, a firearm silencer, or a destructive device.

4 2. The former federal law enforcement officer been found by the state, or by a
5 certified firearms instructor if such an instructor is qualified to conduct a firearms
6 qualification test for law enforcement officers in the state, to meet the standards for
7 qualification in firearms training for law enforcement officers to carry a firearm of
8 the type under subd. 1., that are established by the state or, if the state does not
9 establish standards, by any law enforcement agency in the state.

10 3. The date on which the finding under subd. 2. was made and an expiration
11 date that is 12 months later than that date.

12 4. That, due to the finding under subd. 2., the former federal law enforcement
13 officer is qualified to carry a concealed firearm of the type under subd. 1.

14 (b) The department may not issue the former federal law enforcement officer
15 a certification card under par. (a) unless the department first verifies all of the
16 following:

17 1. The former federal law enforcement officer separated from service as a law
18 enforcement officer with the law enforcement agency in good standing.

19 2. The former federal law enforcement officer served as a law enforcement
20 officer for an aggregate of at least 10 years or the former federal law enforcement
21 officer separated from law enforcement service due to a service-connected disability,
22 as determined by the law enforcement agency from which the former federal law
23 enforcement officer separated, after completing any applicable probationary period.

24 3. a. A qualified medical professional employed by the law enforcement agency
25 from which the former federal law enforcement officer separated has not found the

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1 former federal law enforcement officer to be unqualified to be a law enforcement
2 officer for reasons related to the former officer's mental health.

3 b. The former federal law enforcement officer has not entered into an
4 agreement with the law enforcement agency from which he or she separated from
5 service in which the former officer acknowledges that he or she is not qualified to be
6 a law enforcement officer for reasons related to his or her mental health.

7 4. The former federal law enforcement officer is not prohibited under federal
8 law from possessing a firearm as indicated by a search of the transaction information
9 for management of enforcement system and the national crime information center
10 system.

11 5. The former federal law enforcement officer has, during the previous 12
12 months at his or her own expense, been found by the state, or by a certified firearms
13 instructor if such an instructor is qualified to conduct a firearms qualification test
14 for law enforcement officers in the state, to meet the standards for qualification in
15 firearms training for law enforcement officers to carry a firearm of the type under
16 par. (a) 1., that are established by the state or, if the state does not establish
17 standards, by any law enforcement agency in the state.

18 **(4) CERTIFICATION CARDS.** (a) 1. Subject to pars. (b), (c), and (d) and sub. (3) (a),
19 the department shall design a certification card to be issued by the department under
20 sub. (3) (a).

21 2. Subject to pars. (b), (c), and (d) and sub. (2) (a), each law enforcement agency,
22 upon a request, shall design a certification card to be issued by the law enforcement
23 agency under sub. (2) (a).

24 (b) A certification card shall contain on one side all of the following:

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1 1. The full name, date of birth, and residence address of the person who holds
2 the certification card.

3 2. A photograph of the certification card holder and a physical description that
4 includes sex, height, and eye color.

5 3. The name of this state.

6 (c) A certification card shall include a statement that the certification card does
7 not confer any law enforcement authority on the certification card holder and does
8 not make the certification card holder an employee or agent of the certifying agency
9 or department.

10 (d) A certification card may not contain the certification card holder's social
11 security number.

12 **(5) RENEWAL OF CERTIFICATION CARDS.** A person who holds a current certification
13 card issued under sub. (2) or (3) may renew the certification card by requesting the
14 law enforcement agency or the department, whichever issued the current
15 certification card, to renew the certification card at the expense of the person holding
16 the card, if, before the date the certification card expires, the law enforcement agency
17 verifies sub. (2) (b) 4. and 5. if the certification card holder is a former law
18 enforcement officer, or the department verifies sub. (3) (b) 4. and 5. if the certification
19 card holder is a former federal law enforcement officer, and the certification card
20 holder provides any information necessary for the verification. The renewal shall
21 state the date on which verification was made and an expiration date that is 12
22 months later than that date.

23 **(5m) FEES.** The department may charge a fee to verify eligibility for a
24 certification card under this section, for the issuance of a certification card under sub.
25 (3), or for the renewal of a certification card under sub. (5), but the fee may not exceed

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1 the costs the department incurs in verifying eligibility or for issuing or renewing a
2 certification card. Payments made to the department under this subsection shall be
3 credited to the appropriation account under s. 20.455 (2) (gu).

4 (6) IMMUNITY. (a) When acting in good faith under this section, the department
5 and its employees and a law enforcement agency and its employees are immune from
6 civil and criminal liability arising from any act or omission under this section.

7 (b) When acting in good faith under this section, an entity providing firearms
8 training to comply with the requirements under sub. (2) (a) 2., (3) (a) 2., or (5) and
9 its employees are immune from civil and criminal liability arising from any act or
10 omission that is related to that training.

11 (7) GOING ARMED WITH A FIREARM. This section does not limit a former officer's
12 right to go armed with a firearm that is not concealed.

13 **SECTION 41.** 175.60 of the statutes is created to read:

14 **175.60 License to carry a concealed weapon. (1) DEFINITIONS.** In this
15 section:

16 (ac) "Background check" means the searches the department conducts under
17 sub. (9g) to determine a person's eligibility for a license to carry a concealed weapon.

18 (ag) "Carry" means to go armed with.

19 (b) "Department" means the department of justice.

20 (bm) "Handgun" means any weapon designed or redesigned, or made or
21 remade, and intended to be fired while held in one hand and to use the energy of an
22 explosive to expel a projectile through a smooth or rifled bore. "Handgun" does not
23 include a machine gun, as defined in s. 941.27 (1), a short-barreled rifle, as defined
24 in s. 941.28 (1) (b), or a short-barreled shotgun, as defined in s. 941.28 (1) (c).

25 (bv) "Law enforcement agency" does not include the department.

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1 (c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

2 (d) "Licensee" means an individual holding a valid license to carry a concealed
3 weapon issued under this section.

4 (e) "Motor vehicle" has the meaning given in s. 340.01 (35).

5 (f) "Out-of-state license" means a valid permit, license, approval, or other
6 authorization issued by another state if all of the following apply:

7 1. The permit, license, approval, or other authorization is for the carrying of a
8 concealed weapon.

9 2. The state is listed in the rule promulgated by the department under s. 165.25
10 (12) and, if that state does not require a background search for the permit, license,
11 approval, or authorization, the permit, license, approval, or authorization
12 designates that the holder chose to submit to a background search.

13 (g) "Out-of-state licensee" means an individual who is 21 years of age or over,
14 who is not a Wisconsin resident, and who has been issued an out-of-state license.

15 (h) "Photographic identification card" means one of the following:

16 1. An operator's license issued under ch. 343 or an identification card issued
17 under s. 343.50.

18 2. A license or card issued by a state other than Wisconsin that is substantially
19 equivalent to a license or card under subd. 1.

20 (i) "State identification card number" means the unique identifying driver
21 number assigned to a person by the department of transportation under s. 343.17 (3)

22 (a) 4. or, if the person has no driver number, the number assigned to the person on
23 an identification card issued under s. 343.50.

24 (j) "Weapon" means a handgun, an electric weapon, as defined in s. 941.295 (4),
25 a knife other than a switchblade knife under s. 941.24, or a billy club.

SENATE BILL 90**SECTION 41**

1 **(2) ISSUANCE AND SCOPE OF LICENSE.** (a) The department shall issue a license
2 to carry a concealed weapon to any individual who is not disqualified under sub. (3)
3 and who completes the application process specified in sub. (7). A license to carry a
4 concealed weapon issued under this section shall meet the requirements specified in
5 sub. (2m).

6 (b) The department may not impose conditions, limitations, or requirements
7 that are not expressly provided for in this section on the issuance, scope, effect, or
8 content of a license.

9 (c) Unless expressly provided in this section, this section does not limit an
10 individual's right to carry a firearm that is not concealed.

11 **(2g) CARRYING A CONCEALED WEAPON; POSSESSION AND DISPLAY OF LICENSE**
12 **DOCUMENT OR AUTHORIZATION.** (a) A licensee or an out-of-state licensee may carry a
13 concealed weapon anywhere in this state except as provided under subs. (15m) and
14 (16) and ss. 943.13 (1m) (c) and (1n) and 948.605 (2) (b) 1r.

15 (b) Unless the licensee or out-of-state licensee is carrying a concealed weapon
16 in a manner described under s. 941.23 (2) (e), a licensee shall have with him or her
17 his or her license document and photographic identification card and an out-of-state
18 licensee shall have with him or her his or her out-of-state license and photographic
19 identification card at all times during which he or she is carrying a concealed
20 weapon.

21 (c) Unless the licensee or out-of-state licensee is carrying a concealed weapon
22 in a manner described under s. 941.23 (2) (e), a licensee who is carrying a concealed
23 weapon shall display his or her license document and photographic identification
24 card and an out-of-state licensee who is carrying a concealed weapon shall display

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1 his or her out-of-state license and photographic identification card to a law
2 enforcement officer upon the request of the law enforcement officer.

3 **(2m)** LICENSE DOCUMENT; CONTENT OF LICENSE. (a) Subject to pars. (b), (bm), (c),
4 and (d), the department shall design a single license document for licenses issued and
5 renewed under this section. The department shall complete the design of the license
6 document no later than the first day of the 2nd month beginning after the effective
7 date of this paragraph [LRB inserts date].

8 (b) A license document for a license issued under this section shall contain all
9 of the following on one side:

- 10 1. The full name, date of birth, and residence address of the licensee.
- 11 2. A physical description of the licensee, including sex, height, hair color, and
12 eye color.
- 13 3. The date on which the license was issued.
- 14 4. The date on which the license expires.
- 15 5. The name of this state.
- 16 6. A unique identification number for each licensee.

17 (bm) The reverse side of a license document issued under this section shall
18 contain the requirement under sub. (11) (b) that the licensee shall inform the
19 department of any address change no later than 30 days after his or her address
20 changes and the penalty for a violation of the requirement.

21 (c) The license document may not contain the licensee's social security number.

22 (d) 1. The contents of the license document shall be included in the document
23 in substantially the same way that the contents of an operator's license document
24 issued under s. 343.17 are included in that document.

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1 2. The identification card issued under this section shall be tamper proof in
2 substantially the same way that the operator's license is tamper proof under s.
3 343.17 (2).

4 (e) The department of justice may contract with the department of
5 transportation to produce and issue identification cards under this section. Neither
6 the department of transportation nor any employee of the department of
7 transportation may store, maintain, or access the information provided by the
8 department of justice for the production or issuance of identification cards other than
9 to the extent necessary to produce or issue the identification cards.

10 **(3) RESTRICTIONS ON ISSUING A LICENSE.** The department shall issue a license
11 under this section to an individual who submits an application under sub. (7) unless
12 any of the following applies:

13 (a) The individual is less than 21 years of age.

14 (b) The individual is prohibited under federal law from possessing a firearm
15 that has been transported in interstate or foreign commerce.

16 (c) The individual is prohibited from possessing a firearm under s. 941.29.

17 (d) The individual is not a Wisconsin resident.

18 **(5) APPLICATION AND RENEWAL FORMS.** (a) The department shall design an
19 application form for use by individuals who apply for a license under this section and
20 a renewal form for use by individuals applying for renewal of a license under sub.
21 (15). The department shall complete the design of the application form no later than
22 the first day of the 2nd month beginning after the effective date of this paragraph
23 [LRB inserts date], and shall complete the design of the renewal form no later than
24 the first day of the 36th month beginning after the effective date of this paragraph
25 [LRB inserts date]. The forms shall require the applicant to provide only his or

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1 her name, address, date of birth, state identification card number, race, sex, height,
2 hair color, and eye color and shall include all of the following:

3 1. A statement that the applicant is ineligible for a license if sub. (3) (a), (b), (c),
4 or (d) applies to the applicant.

5 2. A statement explaining self-defense and defense of others under s. 939.48,
6 with a place for the applicant to sign his or her name to indicate that he or she has
7 read and understands the statement.

8 3. A statement, with a place for the applicant to sign his or her name, to indicate
9 that the applicant has read and understands the requirements of this section.

10 4. A statement that an applicant may be prosecuted if he or she intentionally
11 gives a false answer to any question on the application or intentionally submits a
12 falsified document with the application.

13 5. A statement of the penalties for intentionally giving a false answer to any
14 question on the application or intentionally submitting a falsified document with the
15 application.

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

21 (b) The department shall make the forms described in this subsection available
22 on the Internet and, upon request, by mail.

23 **(7) SUBMISSION OF APPLICATION.** An individual may apply for a license under this
24 section with the department by submitting, by mail or other means made available
25 by the department, to the department all of the following:

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1 (a) A completed application in the form prescribed under sub. (5) (a).

2 (b) A statement that states that the information that he or she is providing in
3 the application submitted under par. (a) and any document submitted with the
4 application is true and complete to the best of his or her knowledge.

5 (c) A license fee in an amount, as determined by the department by rule, that
6 is equal to the cost of issuing the license but does not exceed \$52. The department
7 shall determine the costs of issuing a license by using a 5-year planning period.

8 (d) A fee for a background check that is equal to the fee charged under s. 175.35
9 (2i).

10 **(9)** PROCESSING OF APPLICATION. (a) Upon receiving an application submitted
11 under sub. (7), the department shall conduct a background check.

12 (b) Within 21 days after receiving a complete application under sub. (7), the
13 department shall do one of the following:

14 1. Issue the license and promptly send the licensee his or her license document
15 by 1st class mail.

16 2. Deny the application, but only if sub. (3) (a), (b), (c), or (d) applies to the
17 applicant. If the department denies the application, the department shall inform the
18 applicant in writing, stating the reason and factual basis for the denial.

19 **(9g)** BACKGROUND CHECKS. (a) The department shall conduct a background
20 check regarding an applicant for a license using the following procedure:

21 1. The department shall create a confirmation number associated with the
22 applicant.

23 2. The department shall use the transaction information for management of
24 enforcement system and the national crime information center system.

25 3. As soon as practicable, the department shall do the following:

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1 a. If the background check indicates sub. (3) (b) or (c) applies to the applicant,
2 create a unique nonapproval number for the applicant.

3 b. If the completed background check does not indicate that sub. (3) (b) or (c)
4 applies to the applicant, create a unique approval number for the applicant.

5 (b) The department shall maintain a record of all completed application forms
6 and a record of all approval or nonapproval numbers regarding background checks
7 under this subsection.

8 **(9r) EMERGENCY LICENSE.** (a) An individual who requires an immediate license
9 may petition the court in the county in which he or she resides for such a license.
10 Unless the court knows that the individual is ineligible for a license under sub. (3),
11 a court may issue a temporary license to an individual if the court determines that
12 immediate licensure is warranted to protect the individual from death or great bodily
13 harm, as defined in s. 939.22 (14).

14 (b) An emergency license issued under this subsection is valid for 30 days
15 unless it is void under par. (c).

16 (c) If the holder of an emergency license issued under par. (a) applies for a
17 license under sub. (7) and is determined to be ineligible under sub. (3) for a license,
18 the emergency license is void.

19 **(11) UPDATED INFORMATION.** (a) 1. In this paragraph:

20 a. "Clerk" means the clerk of the circuit court or, if it has enacted a law or an
21 ordinance in conformity with s. 346.63, the clerk of the court for a federally
22 recognized American Indian tribe or band in this state, a city, a village, or a town.

23 b. "Court automated information systems" means the systems under s. 758.19
24 (4).

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1 2. The court automated information systems, or the clerk or register in probate,
2 if the information is not contained in or cannot be transmitted by the court
3 automated information systems, shall promptly notify the department of the name
4 of any individual with respect to whom any of the following occurs and the specific
5 reason for the notification:

6 a. The individual is found by a court to have committed a felony or any other
7 crime that would disqualify the individual from having a license under this section.

8 b. The individual is found incompetent under s. 971.14.

9 c. The individual is found not guilty of any crime by reason of mental disease
10 or mental defect under s. 971.17.

11 d. The individual is involuntarily committed for treatment under s. 51.20 or
12 51.45.

13 e. The individual is found incompetent under ch. 54.

14 f. The individual becomes subject to an injunction described in s. 941.29 (1) (f)
15 or is ordered not to possess a firearm under s. 813.125 (4m).

16 g. A court has prohibited the individual from possessing a dangerous weapon
17 under s. 969.02 (3) (c).

18 h. A court has ordered the individual not to possess a firearm under s. 51.20
19 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a).

20 3. Upon receiving a notice under subd. 2., the department shall immediately
21 determine if the individual who is the subject of the notice is a licensee, using the list
22 maintained under sub. (12) (a).

23 (b) 1. No later than 30 days after changing his or her address, a licensee shall
24 inform the department of the new address. The department shall include the
25 individual's new address in the list under sub. (12) (a).

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1 2. Except as provided in subd. 3., for a first violation of subd. 1., the department
2 must issue the licensee a warning.

3 3. If an individual is in violation of subd. 1. and his or her license has been
4 suspended or revoked under sub. (14), the individual is subject to the penalty under
5 sub. (17) (ac).

6 4. A licensee may not be charged with a violation of subd. 1. if the department
7 learns of the violation when the licensee informs the department of the address
8 change.

9 **(12) MAINTENANCE, USE, AND PUBLICATION OF RECORDS BY THE DEPARTMENT.** (a) The
10 department shall maintain a computerized record listing the names and the
11 information specified in sub. (2m) (b) of all individuals who have been issued a license
12 under this section. Subject to par. (b) 1. b., neither the department nor any employee
13 of the department may store, maintain, format, sort, or access the information in any
14 way other than by the names, dates of birth, or sex of licensees or by the identification
15 numbers assigned to licensees under sub. (2m) (b) 6.

16 (b) 1. A law enforcement officer may not request or be provided information
17 under par. (a) concerning a specific licensee except for one of the following purposes:

18 a. To confirm that a license produced by an individual at the request of a law
19 enforcement officer is valid.

20 b. If an individual is carrying a concealed weapon and claims to hold a valid
21 license issued under this section but does not have his or her license document, to
22 confirm that the individual holds a valid license under this section.

23 c. To investigate whether an individual submitted an intentionally false
24 statement under sub. (7) (b) or (15) (b) 2.

25 d. To investigate whether an individual complied with sub. (14) (b) 3.

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1 2. A person who is a law enforcement officer in a state other than Wisconsin
2 may request and be provided information under subd. 1. a. and b.

3 (c) Notwithstanding s. 19.35, the department of justice, the department of
4 transportation, or any employee of either department may not make information
5 obtained under this section available to the public except in the context of a
6 prosecution for an offense in which the person's status as a licensee is relevant or
7 through a report created under sub. (19).

8 **(12g)** PROVIDING LICENSEE INFORMATION TO LAW ENFORCEMENT AGENCIES. (a) The
9 department shall provide information concerning a specific licensee to a law
10 enforcement agency, but only if the law enforcement agency is requesting the
11 information for any of the following purposes:

12 1. To confirm that a license produced by an individual at the request of a law
13 enforcement officer is valid.

14 2. If an individual is carrying a concealed weapon and claims to hold a valid
15 license issued under this section but does not have his or her license document, to
16 confirm that an individual holds a valid license under this section.

17 3. If the law enforcement agency is a Wisconsin law enforcement agency, to
18 investigate whether an individual submitted an intentionally false statement under
19 sub. (7) (b) or (15) (b) 2.

20 (b) 1. Notwithstanding s. 19.35, neither a law enforcement agency nor any of
21 its employees may make information regarding an individual that was obtained from
22 the department under this subsection available to the public except in the context
23 of a prosecution for an offense in which the person's status as a licensee is relevant.

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1 2. Neither a law enforcement agency nor any of its employees may store or
2 maintain information regarding an individual that was obtained from the
3 department under this subsection based on the individual's status as a licensee.

4 3. Neither a law enforcement agency nor any of its employees may sort or access
5 information regarding vehicle stops, investigations, civil or criminal offenses, or
6 other activities involving the agency based on the status as licensees of any
7 individuals involved.

8 **(13) LOST OR DESTROYED LICENSE.** If a license document is lost, a licensee no
9 longer has possession of his or her license, or a license document is destroyed,
10 unreadable, or unusable, a licensee may submit to the department a statement
11 requesting a replacement license document, the license document or any portions of
12 the license document if available, and a \$15 replacement fee. The department shall
13 issue a replacement license document to the licensee within 14 days of receiving the
14 statement and fee. If the licensee does not submit the original license document to
15 the department, the department shall terminate the unique approval number of the
16 original request and issue a new unique approval number for the replacement
17 request.

18 **(14) LICENSE REVOCATION AND SUSPENSION.** (a) The department shall revoke a
19 license issued under this section if the department determines that sub. (3) (b), (c),
20 or (d) applies to the licensee.

21 (am) The department shall suspend a license issued under this section if a court
22 has prohibited the licensee from possessing a dangerous weapon under s. 969.02 (3)
23 (c). If the individual whose license was suspended is no longer subject to the
24 prohibition under s. 969.02 (3) (c), sub. (3) (b), (c), or (d) does not apply to the
25 individual, and the suspended license would not have expired under sub. (15) (a) had

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1 it not been suspended, the department shall restore the license within 5 business
2 days of notification that the licensee is no longer subject to the prohibition.

3 (b) 1. If the department suspends or revokes a license issued under this section,
4 the department shall send the individual whose license has been suspended or
5 revoked notice of the suspension or revocation by certified mail within one day after
6 the suspension or revocation.

7 2. If the department suspends or revokes a license under this section, the
8 suspension or revocation takes effect when the individual whose license has been
9 suspended or revoked receives the notice under subd. 1.

10 3. Within 7 days after receiving the notice, the individual whose license has
11 been suspended or revoked shall do one of the following:

12 a. Deliver the license document personally or by certified mail to the
13 department.

14 b. Mail a signed statement to the department stating that he or she no longer
15 has possession of his or her license document and stating the reasons why he or she
16 no longer has possession.

17 **(14g)** DEPARTMENTAL REVIEW. The department shall promulgate rules providing
18 for the review of any action by the department denying an application for, or
19 suspending or revoking, a license under this section.

20 **(14m)** APPEALS TO THE CIRCUIT COURT. (a) An individual aggrieved by any action
21 by the department denying an application for, or suspending or revoking, a license
22 under this section, may appeal directly to the circuit court of the county in which the
23 individual resides without regard to whether the individual has sought review under
24 the process established in sub. (14g).

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1 (b) To begin an appeal under this subsection, the aggrieved individual shall file
2 a petition for review with the clerk of the applicable circuit court within 30 days of
3 receiving notice of denial of an application for a license or of suspension or revocation
4 of a license. The petition shall state the substance of the department's action from
5 which the individual is appealing and the grounds upon which the individual
6 believes the department's action to be improper. The petition may include a copy of
7 any records or documents that are relevant to the grounds upon which the individual
8 believes the department's action to be improper.

9 (c) A copy of the petition shall be served upon the department either personally
10 or by registered or certified mail within 5 days after the individual files his or her
11 petition under par. (b).

12 (d) The department shall file an answer within 15 days after being served with
13 the petition under par. (c). The answer shall include a brief statement of the actions
14 taken by the department. The department shall include with the answer when filed
15 a copy of any documents or records on which the department based its action.

16 (e) The court shall review the petition, the answer, and any records or
17 documents submitted with the petition or the answer. The review under this
18 paragraph shall be conducted by the court without a jury but the court may schedule
19 a hearing and take testimony.

20 (f) The court shall reverse the department's action if the court finds any of the
21 following:

22 1. That the department failed to follow any procedure, or take any action,
23 prescribed under this section.

24 2. That the department erroneously interpreted a provision of law and a correct
25 interpretation compels a different action.

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1 3. That the department's action depends on a finding of fact that is not
2 supported by substantial evidence in the record.

3 4. a. If the appeal is regarding a denial, that the denial was based on factors
4 other than the factors under sub. (3).

5 b. If the appeal is regarding a suspension or revocation, that the suspension or
6 revocation was based on criteria other than those under sub. (14) (a) or (am).

7 (g) 1. The court's decision shall provide whatever relief is appropriate
8 regardless of the original form of the petition.

9 2. If the court reverses the department's action, the court may order the
10 department to pay the aggrieved individual all court costs and reasonable attorney
11 fees.

12 **(15) LICENSE EXPIRATION AND RENEWAL.** (a) Except as provided in par. (e) and
13 sub. (9r) (b), a license issued under this section is valid for a period of 5 years from
14 the date on which the license is issued unless the license is suspended or revoked
15 under sub. (14).

16 (b) The department shall design a notice of expiration form. At least 90 days
17 before the expiration date of a license issued under this section, the department shall
18 mail to the licensee a notice of expiration form and a form for renewing the license.
19 The department shall renew the license if, no later than 90 days after the expiration
20 date of the license, the licensee does all of the following:

21 1. Submits a renewal application on the form provided by the department.

22 2. Submits a statement reporting that the information provided under subd.

23 1. is true and complete to the best of his or her knowledge and that he or she is not
24 disqualified under sub. (3).

25 4. Pays all of the following:

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1 a. A renewal fee in an amount, as determined by the department by rule, that
2 is equal to the cost of renewing the license but does not exceed \$27. The department
3 shall determine the costs of renewing a license by using a 5-year planning period.

4 b. A fee for a background check that is equal to the fee charged under s. 175.35
5 (2i).

6 (c) The department shall conduct a background check of a licensee as provided
7 under sub. (9g) before renewing the licensee's license under par. (b).

8 (d) The department shall issue a renewal license by 1st class mail within 21
9 days of receiving a renewal application, statement, and fees under par. (b).

10 (e) The license of a member of the U.S. armed forces, a reserve unit of the armed
11 forces, or the national guard who is deployed overseas while on active duty may not
12 expire until at least 90 days after the end of the licensee's overseas deployment
13 unless the license is suspended or revoked under sub. (14).

14 **(15m) EMPLOYER RESTRICTIONS.** (a) Except as provided in par. (b), an employer
15 may prohibit a licensee or an out-of-state licensee that it employs from carrying a
16 concealed weapon or a particular type of concealed weapon in the course of the
17 licensee's or out-of-state licensee's employment or during any part of the licensee's
18 or out-of-state licensee's course of employment.

19 (b) An employer may not prohibit a licensee or an out-of-state licensee, as a
20 condition of employment, from carrying a concealed weapon, a particular type of
21 concealed weapon, or ammunition or from storing a weapon, a particular type of
22 weapon, or ammunition in the licensee's or out-of-state licensee's own motor vehicle,
23 regardless of whether the motor vehicle is used in the course of employment or
24 whether the motor vehicle is driven or parked on property used by the employer.

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1 **(16) PROHIBITED ACTIVITY.** (a) Except as provided in par. (am) and s. 943.13 (1m)
2 and (1n), a licensee or an out-of-state licensee may carry a concealed weapon or a
3 weapon that is not concealed anywhere on publicly owned property and in publicly
4 owned buildings in this state.

5 (am) 1. Except as provided in subd. 2., neither a licensee nor an out-of-state
6 licensee may knowingly carry a concealed weapon, a weapon that is not concealed,
7 or a firearm that is not a weapon in any portion of a building that is a police station,
8 sheriff's office, or state patrol station; a prison, jail, house of correction, or secured
9 correctional facility; a county, state, or federal courthouse; or a place beyond a
10 security checkpoint in an airport.

11 2. The prohibitions under subd. 1. do not apply to any of the following:

12 a. A weapon in a vehicle driven or parked in a parking facility located in a
13 building that is used as, or any portion of which is used as, a location under subd. 1.

14 b. A weapon in a courthouse if a judge who is a licensee is carrying the weapon
15 or if another licensee or out-of-state licensee, whom a judge has permitted in writing
16 to carry a weapon, is carrying the weapon.

17 c. A weapon in a courthouse if a district attorney, or an assistant district
18 attorney, who is a licensee is carrying the weapon.

19 **(17) PENALTIES.** (a) Any person who violates sub. (2g) (b) or (c) may be required
20 to forfeit not more than \$25.

21 (ac) Except as provided in sub. (11) (b) 2., any person who violates sub. (11) (b)
22 1. may be required to forfeit \$50.

23 (ag) Any person who violates sub. (2m) (e), (12), or (12g) may be fined not more
24 than \$500 or sentenced to a term of imprisonment of not more than 30 days or both.

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1 (ar) Any law enforcement officer who uses excessive force based solely on an
2 individual's status as a licensee may be fined not more than \$500 or sentenced to a
3 term of imprisonment of not more than 30 days or both. The application of the
4 criminal penalty under this paragraph does not preclude the application of any other
5 civil or criminal remedy.

6 (b) Any person who violates sub. (16) (am) may be fined not more than \$500 or
7 imprisoned for not more than 30 days or both.

8 (e) Any person required under sub. (14) (b) 3. to relinquish or deliver a license
9 document to the department who intentionally violates the requirements of that
10 subdivision shall be fined not more than \$500 and may be imprisoned for not more
11 than 30 days or both.

12 **(18) RECIPROCITY AGREEMENTS.** The department may enter into reciprocity
13 agreements with other states as to matters relating to licenses or other authorization
14 to carry concealed weapons.

15 **(19) STATISTICAL REPORT.** By March 1 of each year, the department shall submit
16 a statistical report to the legislature under s. 13.172 (2) and to the governor that
17 indicates the number of licenses applied for, issued, denied, suspended, and revoked
18 under this section during the previous calendar year. For the licenses denied, the
19 report shall indicate the reasons for the denials and the part of the application
20 process in which the reasons for denial were discovered. For the licenses suspended
21 or revoked, the report shall indicate the reasons for the suspensions and revocations.
22 The department may not include in the report any information that may be used to
23 identify an applicant or a licensee, including, but not limited to, a name, address,
24 birth date, or social security number.

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1 **(21) IMMUNITY.** (a) The department of justice, the department of
2 transportation, and the employees of each department; clerks, as defined in sub. (11)
3 (a) 1. a., and their staff; and court automated information systems, as defined under
4 sub. (11) (a) 1. b., and their employees are immune from liability arising from any act
5 or omission under this section, if done so in good faith.

6 (b) A person that does not prohibit an individual from carrying a concealed
7 weapon on property that the person owns or occupies is immune from any liability
8 arising from its decision.

9 (c) An employer that does not prohibit one or more employees from carrying a
10 concealed weapon under sub. (15m) is immune from any liability arising from its
11 decision.

12 **SECTION 42.** 440.26 (3m) of the statutes is renumbered 440.26 (3m) (intro.) and
13 amended to read:

14 **440.26 (3m) RULES CONCERNING DANGEROUS WEAPONS.** (intro.) The department
15 shall promulgate rules relating to the carrying of dangerous weapons by a person
16 who holds a license or permit issued under this section or who is employed by a
17 person licensed under this section. The rules shall meet the minimum requirements
18 specified in 15 USC 5902 (b). and shall allow all of the following:

19 **SECTION 43.** 440.26 (3m) (a) of the statutes is created to read:

20 **440.26 (3m) (a)** A person who is employed in this state by a public agency as
21 a law enforcement officer to carry a concealed firearm if s. 941.23 (1) (g) 2. to 5. and
22 (2) (b) 1. to 3. applies.

23 **SECTION 44.** 440.26 (3m) (b) of the statutes is created to read:

24 **440.26 (3m) (b)** A qualified out-of-state law enforcement officer, as defined in
25 s. 941.23 (1) (g), to carry a concealed firearm if s. 941.23 (2) (b) 1. to 3. applies.

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1 **SECTION 45.** 440.26 (3m) (c) of the statutes is created to read:

2 440.26 **(3m)** (c) A former officer, as defined in s. 941.23 (1) (c), to carry a
3 concealed firearm if s. 941.23 (2) (c) 1. to 7. applies.

4 **SECTION 46.** 440.26 (3m) (d) of the statutes is created to read:

5 440.26 **(3m)** (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
6 licensee, as defined in s. 175.60 (1) (g), to carry a concealed weapon as permitted
7 under s. 175.60.

8 **SECTION 47.** 813.12 (6) (am) 1. of the statutes is amended to read:

9 813.12 **(6)** (am) 1. If an injunction is issued or extended under sub. (4) or if a
10 tribal injunction is filed under s. 806.247 (3), the clerk of the circuit court shall notify
11 the department of justice of the injunction and shall provide the department of
12 justice with information concerning the period during which the injunction is in
13 effect and information necessary to identify the respondent for purposes of a firearms
14 restrictions record search under s. 175.35 (2g) (c) or a background check under s.
15 175.60 (9g) (a).

16 **SECTION 48.** 813.122 (9) (am) 1. of the statutes is amended to read:

17 813.122 **(9)** (am) 1. If an injunction is issued or extended under sub. (5), the
18 clerk of the circuit court shall notify the department of justice of the injunction and
19 shall provide the department of justice with information concerning the period
20 during which the injunction is in effect and information necessary to identify the
21 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
22 (c) or a background check under s. 175.60 (9g) (a).

23 **SECTION 49.** 813.125 (5r) (a) of the statutes is amended to read:

24 813.125 **(5r)** (a) If an order prohibiting a respondent from possessing a firearm
25 is issued under sub. (4m), the clerk of the circuit court shall notify the department

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1 of justice of the existence of the order prohibiting a respondent from possessing a
2 firearm and shall provide the department of justice with information concerning the
3 period during which the order is in effect and information necessary to identify the
4 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
5 (c) or a background check under s. 175.60 (9g) (a).

6 **SECTION 50.** 895.527 (5) (a) of the statutes is amended to read:

7 895.527 (5) (a) Section 167.30 (1), 941.20 (1) (d) or 948.605 or any rule
8 promulgated under those sections regulating or prohibiting the discharge of
9 firearms.

10 **SECTION 51.** 938.396 (2g) (n) of the statutes is amended to read:

11 938.396 (2g) (n) *Firearms restriction record search or background check.* If a
12 juvenile is adjudged delinquent for an act that would be a felony if committed by an
13 adult, the court clerk shall notify the department of justice of that fact. No other
14 information from the juvenile's court records may be disclosed to the department of
15 justice except by order of the court. The department of justice may disclose any
16 information provided under this subsection only as part of a firearms restrictions
17 record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

18 **SECTION 52.** 939.22 (10) of the statutes is amended to read:

19 939.22 (10) "Dangerous weapon" means any firearm, whether loaded or
20 unloaded; any device designed as a weapon and capable of producing death or great
21 bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or
22 mouth of another person to impede, partially or completely, breathing or circulation
23 of blood; any electric weapon, as defined in s. 941.295 (4) (1c) (a); or any other device
24 or instrumentality which, in the manner it is used or intended to be used, is
25 calculated or likely to produce death or great bodily harm.

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1 **SECTION 53.** 941.23 of the statutes is renumbered 941.23 (2) (intro.) and
2 amended to read:

3 941.23 (2) (intro.) Any person ~~except a peace officer, other than one of the~~
4 following, who goes armed with carries a concealed and dangerous weapon is guilty
5 of a Class A misdemeanor. ~~Notwithstanding:~~

6 (a) A peace officer, but notwithstanding s. 939.22, for purposes of this section
7 paragraph, peace officer does not include a commission warden who is not a
8 state-certified commission warden.

9 **SECTION 54.** 941.23 (1) of the statutes is created to read:

10 941.23 (1) In this section:

11 (ag) “Carry” has the meaning given in s. 175.60 (1) (ag).

12 (ar) “Destructive device” has the meaning given in 18 USC 921 (a) (4).

13 (b) “Firearm silencer” has the meaning given in s. 941.298 (1).

14 (c) “Former officer” means a person who served as a law enforcement officer
15 with a law enforcement agency before separating from law enforcement service.

16 (d) “Law enforcement agency” has the meaning given in s. 175.49 (1) (f).

17 (e) “Law enforcement officer” has the meaning given in s. 175.49 (1) (g).

18 (f) “Machine gun” has the meaning given in s. 941.27 (1).

19 (g) “Qualified out-of-state law enforcement officer” means a law enforcement
20 officer to whom all of the following apply:

21 1. The person is employed by a state or local government agency in another
22 state.

23 2. The agency has authorized the person to carry a firearm.

24 3. The person is not the subject of any disciplinary action by the agency that
25 could result in the suspension or loss of the person’s law enforcement authority.

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1 4. The person meets all standards established by the agency to qualify the
2 person on a regular basis to use a firearm.

3 5. The person is not prohibited under federal law from possessing a firearm.

4 **SECTION 55.** 941.23 (2) (b) of the statutes is created to read:

5 941.23 (2) (b) A qualified out-of-state law enforcement officer. This paragraph
6 applies only if all of the following apply:

7 1. The weapon is a firearm but is not a machine gun or a destructive device.

8 2. The officer is not carrying a firearm silencer.

9 3. The officer is not under the influence of an intoxicant.

10 **SECTION 56.** 941.23 (2) (c) of the statutes is created to read:

11 941.23 (2) (c) A former officer. This paragraph applies only if all of the following
12 apply:

13 1. The former officer has been issued a photographic identification document
14 described in sub. (3) (b) 1. or both of the following:

15 a. A photographic identification document described in sub. (3) (b) 2. (intro.).

16 b. An identification card described in sub. (3) (b) 2. a., if the former officer
17 resides in this state, or a certification described in sub. (3) (b) 2. b., if the former officer
18 resides in another state.

19 2. The weapon is a firearm that is of the type described in a photographic
20 identification document described in subd. 1. (intro.) or a card or certification
21 described in subd. 1. b.

22 3. Within the preceding 12 months, the former officer met the standards of the
23 state in which he or she resides for training and qualification for active duty law
24 enforcement officers to carry firearms.

25 4. The weapon is not a machine gun or a destructive device.

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1 5. The former officer is not carrying a firearm silencer.

2 6. The former officer is not under the influence of an intoxicant.

3 7. The former officer is not prohibited under federal law from possessing a
4 firearm.

5 **SECTION 57.** 941.23 (2) (d) of the statutes is created to read:

6 941.23 (2) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
7 licensee, as defined in s. 175.60 (1) (g), if the dangerous weapon is a weapon, as
8 defined under s. 175.60 (1) (j). An individual formerly licensed under s. 175.60 whose
9 license has been suspended or revoked under s. 175.60 (14) may not assert his or her
10 refusal to accept a notice of revocation or suspension mailed under s. 175.60 (14) (b)
11 1. as a defense to prosecution under this subsection, regardless of whether the person
12 has complied with s. 175.60 (11) (b) 1.

13 **SECTION 58.** 941.23 (2) (e) of the statutes is created to read:

14 941.23 (2) (e) An individual who carries a concealed and dangerous weapon,
15 as defined in s. 175.60 (1) (j), in his or her own dwelling or place of business or on land
16 that he or she owns, leases, or legally occupies.

17 **SECTION 59.** 941.23 (3) of the statutes is created to read:

18 941.23 (3) (a) A qualified out-of-state law enforcement officer shall, while
19 carrying a concealed firearm, also have with him or her an identification card that
20 contains his or her photograph and that was issued by the law enforcement agency
21 by which he or she is employed.

22 (b) A former officer shall, while carrying a concealed firearm, also have with
23 him or her one of the following:

24 1. A photographic identification document issued by the law enforcement
25 agency from which the former officer separated that indicates that, within the 12

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1 months preceding the date on which the former officer is carrying the concealed
2 firearm, he or she was tested or otherwise found by that law enforcement agency to
3 meet the standards for qualification in firearms training that that law enforcement
4 agency sets for active duty law enforcement officers to carry a firearm of the same
5 type as the firearm that the former officer is carrying.

6 2. A photographic identification document issued by the law enforcement
7 agency from which the former officer separated and one of the following:

8 a. A certification card issued under s. 175.49 (2), if the former officer resides
9 in this state.

10 b. A certification issued by the state in which the former officer resides, if the
11 former officer resides in another state, that indicates that, within the 12 months
12 preceding the date on which the former officer is carrying the concealed firearm, he
13 or she has been found by the state in which he or she resides, or by a certified firearms
14 instructor if such an instructor is qualified to conduct a firearms qualification test
15 for law enforcement officers in that state, to meet the standards for qualification in
16 firearms training for law enforcement officers to carry a firearm of the type he or she
17 is carrying, that are established by his or her state of residence or, if that state does
18 not establish standards, by any law enforcement agency in his or her state of
19 residence.

20 (c) A person who violates this subsection may be required to forfeit not more
21 than \$25.

22 (d) This subsection does not apply to a licensee, as defined in s. 175.60 (1) (d),
23 or an out-of-state licensee, as defined in s. 175.60 (1) (g).

24 **SECTION 60.** 941.235 (2) of the statutes is renumbered 941.235 (2) (intro.) and
25 amended to read:

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1 941.235 (2) (intro.) This section does not apply to peace any of the following:

2 (a) Peace officers or armed forces or military personnel who go armed in the line
3 of duty or to any person duly authorized by the chief of police of any city, village or
4 town, the chief of the capitol police, or the sheriff of any county to possess a firearm
5 in any building under sub. (1). Notwithstanding s. 939.22 (22), for purposes of this
6 subsection paragraph, peace officer does not include a commission warden who is not
7 a state-certified commission warden.

8 **SECTION 61.** 941.235 (2) (c) of the statutes is created to read:

9 941.235 (2) (c) A qualified out-of-state law enforcement officer, as defined in
10 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

11 **SECTION 62.** 941.235 (2) (d) of the statutes is created to read:

12 941.235 (2) (d) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
13 (2) (c) 1. to 7. applies.

14 **SECTION 63.** 941.235 (2) (e) of the statutes is created to read:

15 941.235 (2) (e) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
16 licensee, as defined in s. 175.60 (1) (g).

17 **SECTION 64.** 941.237 (3) (cr) of the statutes is created to read:

18 941.237 (3) (cr) A qualified out-of-state law enforcement officer, as defined in
19 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

20 **SECTION 65.** 941.237 (3) (ct) of the statutes is created to read:

21 941.237 (3) (ct) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
22 (2) (c) 1. to 7. applies.

23 **SECTION 66.** 941.237 (3) (cx) of the statutes is created to read:

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1 941.237 (3) (cx) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
2 licensee, as defined in s. 175.60 (1) (g), if the licensee or out-of-state licensee is not
3 consuming alcohol on the premises.

4 **SECTION 67.** 941.237 (4) of the statutes is repealed.

5 **SECTION 68.** 941.295 (1) of the statutes is renumbered 941.295 (1m).

6 **SECTION 69.** 941.295 (1c) (b) and (c) of the statutes are created to read:

7 941.295 (1c) (b) “Licensee” has the meaning given in s. 175.60 (1) (d).

8 (c) “Out-of-state licensee” has the meaning given in s. 175.60 (1) (g).

9 **SECTION 70.** 941.295 (2) (intro.) of the statutes is amended to read:

10 941.295 (2) (intro.) Subsection ~~(1)~~ (1m) does not apply to any of the following:

11 **SECTION 71.** 941.295 (2) (d) of the statutes is renumbered 941.295 (2) (d) (intro.)

12 and amended to read:

13 941.295 (2) (d) (intro.) Any manufacturer or seller whose of electric weapons
14 are used in this state solely by persons, unless the manufacturer or seller engages
15 in the conduct described in sub. (1m) with the intent to provide an electric weapon
16 to someone other than one of the following:

17 1. A person specified in pars. (a) to (c), a licensee, or an out-of-state licensee.

18 **SECTION 72.** 941.295 (2) (d) 2. of the statutes is created to read:

19 941.295 (2) (d) 2. A person for use in his or her dwelling or place of business
20 or on land that he or she owns, leases, or legally occupies.

21 **SECTION 73.** 941.295 (2g) of the statutes is created to read:

22 941.295 (2g) The prohibition in sub. (1m) on possessing or going armed with
23 an electric weapon does not apply to any of the following:

24 (a) A licensee or an out-of-state licensee.

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1 (b) An individual who goes armed with an electric weapon in his or her own
2 dwelling or place of business or on land that he or she owns, leases, or legally
3 occupies.

4 **SECTION 74.** 941.295 (2r) of the statutes is created to read:

5 941.295 (2r) The prohibition in sub. (1m) on transporting an electric weapon
6 does not apply to any of the following:

7 (a) A licensee or an out-of-state licensee.

8 (b) An individual who is not a licensee or an out-of-state licensee who
9 transports an electric weapon if the electric weapon is enclosed within a carrying
10 case.

11 **SECTION 75.** 941.295 (4) of the statutes is renumbered 941.295 (1c) (intro.) and
12 amended to read:

13 941.295 (1c) (intro.) In this section, ~~“electric;~~

14 (a) “Electric weapon” means any device which is designed, redesigned, used or
15 intended to be used, offensively or defensively, to immobilize or incapacitate persons
16 by the use of electric current.

17 **SECTION 76.** 943.13 (1e) (a) of the statutes is renumbered 943.13 (1e) (ar).

18 **SECTION 77.** 943.13 (1e) (aL) of the statutes is created to read:

19 943.13 (1e) (aL) “Carry” has the meaning given in s. 175.60 (1) (ag).

20 **SECTION 78.** 943.13 (1e) (bm) of the statutes is created to read:

21 943.13 (1e) (bm) “Licensee” means a licensee, as defined in s. 176.60 (1) (d), or
22 an out-of-state licensee, as defined in s. 175.60 (1) (g).

23 **SECTION 79.** 943.13 (1e) (cm) of the statutes is created to read:

24 943.13 (1e) (cm) “Nonresidential building” includes any privately or publicly
25 owned building on the grounds of a university or college.

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1 **SECTION 80.** 943.13 (1e) (g) of the statutes is created to read:

2 943.13 (1e) (g) “Out-of-state licensee” has the meaning given in s. 175.60 (1)
3 (g).

4 **SECTION 81.** 943.13 (1m) (b) of the statutes is amended to read:

5 943.13 (1m) (b) Enters or remains on any land of another after having been
6 notified by the owner or occupant not to enter or remain on the premises. This
7 paragraph does not apply to a licensee or out-of-state licensee if the owner’s or
8 occupant’s intent is to prevent the licensee or out-of-state licensee from carrying a
9 firearm on the owner’s or occupant’s land.

10 **SECTION 82.** 943.13 (1m) (c) of the statutes is created to read:

11 943.13 (1m) (c) 1. While carrying a firearm, enters or remains at a residence
12 that the actor does not own or occupy after the owner of the residence, if he or she
13 has not leased it to another person, or the occupant of the residence has notified the
14 actor not to enter or remain at the residence while carrying a firearm or with that
15 type of firearm. In this subdivision, “residence,” with respect to a single-family
16 residence, includes the residence building and the parcel of land upon which the
17 residence building is located, and “residence,” with respect to a residence that is not
18 a single-family residence, does not include any common area of the building in which
19 the residence is located or any common areas of the rest of the parcel of land upon
20 which the residence building is located.

21 2. While carrying a firearm, enters or remains in any part of a nonresidential
22 building that the actor does not own or occupy after the owner of the building, if that
23 part of the building has not been leased to another person, or the occupant of that
24 part of the building has notified the actor not to enter or remain in that part of the
25 building while carrying a firearm or with that type of firearm. This subdivision does

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1 not apply to a part of a building occupied by the state or by a local governmental unit
2 or, if the firearm is in a vehicle driven or parked in the parking facility, to any part
3 of a building used as a parking facility.

4 **SECTION 83.** 943.13 (1n) of the statutes is created to read:

5 943.13 (1n) A person is guilty of a Class C misdemeanor if he or she, while
6 carrying a firearm, enters or remains in any part of a building that is owned,
7 occupied, or controlled by the state or any local governmental unit, excluding any
8 building or portion of a building under s. 175.60 (16) (am) 1., if the state or local
9 governmental unit has notified the actor not to enter or remain in the building while
10 carrying a firearm or with that type of firearm. This subsection does not apply to a
11 person who leases residential or business premises in the building or, if the firearm
12 is in a vehicle driven or parked in the parking facility, to any part of the building used
13 as a parking facility.

14 **SECTION 84.** 943.13 (2) of the statutes is renumbered 943.13 (2) (am), and
15 943.13 (2) (am) (intro.) and 1., as renumbered, are amended to read:

16 943.13 (2) (am) (intro.) A person has received notice from the owner or occupant
17 within the meaning of sub. (1m) (b), (e) or (f) if he or she has been notified personally,
18 either orally or in writing, or if the land is posted. Land is considered to be posted
19 under this ~~subsection~~ paragraph under either of the following procedures:

20 1. If a sign at least 11 inches square is placed in at least 2 conspicuous places
21 for every 40 acres to be protected. The sign must ~~carry~~ provide an appropriate notice
22 and the name of the person giving the notice followed by the word "owner" if the
23 person giving the notice is the holder of legal title to the land and by the word
24 "occupant" if the person giving the notice is not the holder of legal title but is a lawful
25 occupant of the land. Proof that appropriate signs as provided in this ~~paragraph~~

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1 subdivision were erected or in existence upon the premises to be protected prior to
2 the event complained of shall be prima facie proof that the premises to be protected
3 were posted as provided in this ~~paragraph~~ subdivision.

4 **SECTION 85.** 943.13 (2) (bm) of the statutes is created to read:

5 943.13 (2) (bm) 1. In this paragraph, “sign” means a sign that states a
6 restriction imposed under subd. 2. that is at least 8.5 inches by 11 inches and colored
7 orange as described in s. 29.301 (2).

8 2. For the purposes of subs. (1m) (c) 2. and (1n), an owner or occupant of a part
9 of a nonresidential building or the state or a local governmental unit has notified an
10 individual not to enter or remain in that part of the building while carrying a firearm
11 or with a particular type of firearm if the owner, occupant, state, or local
12 governmental unit has posted a sign that is located in a prominent place near all of
13 the entrances to the part of the building to which the restriction applies and any
14 individual entering the building can be reasonably expected to see the sign.

15 **SECTION 86.** 943.13 (3) of the statutes is amended to read:

16 943.13 (3) Whoever erects on the land of another signs which are the same as
17 or similar to those described in sub. (2) (am) without obtaining the express consent
18 of the lawful occupant of or holder of legal title to such land is subject to a Class C
19 forfeiture.

20 **SECTION 87.** 946.71 of the statutes is created to read:

21 **946.71 Unlawful use of license for carrying concealed weapons. (1)** In
22 this section, “license” means a license issued under s. 175.60 (2) or (9r).

23 (2) Whoever does any of the following is guilty of a Class A misdemeanor:

24 (a) Intentionally represents as valid any revoked, suspended, fictitious, or
25 fraudulently altered license.

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1 (b) If the actor holds a license, intentionally sells or lends the license to any
2 other individual or knowingly permits another individual to use the license.

3 (c) Intentionally represents as one's own any license not issued to him or her.

4 (d) If the actor holds a license, intentionally permits any unlawful use of that
5 license.

6 (e) Intentionally reproduces by any means a copy of a license for a purpose that
7 is prohibited under this subsection.

8 (f) Intentionally defaces or intentionally alters a license.

9 **SECTION 88.** 947.01 of the statutes is renumbered 947.01 (1).

10 **SECTION 89.** 947.01 (2) of the statutes is created to read:

11 947.01 (2) A person is not in violation of, and may not be charged with a
12 violation of, sub. (1) for loading, carrying, or going armed with a firearm, without
13 regard to whether the firearm is loaded or is concealed or openly carried.

14 **SECTION 90.** 947.011 (2) (a) 1. of the statutes is amended to read:

15 947.011 (2) (a) 1. Engage in conduct that is prohibited under s. 947.01 (1) within
16 500 feet of any entrance to a facility being used for the service with the intent to
17 disrupt the service.

18 **SECTION 91.** 947.011 (2) (c) 1. of the statutes is amended to read:

19 947.011 (2) (c) 1. Engage in conduct that is prohibited under s. 947.01 (1) within
20 500 feet of any entrance to a facility being used for the service.

21 **SECTION 92.** 947.011 (2) (d) of the statutes is amended to read:

22 947.011 (2) (d) No person may impede vehicles that are part of a funeral
23 procession if the person's conduct violates s. 947.01 (1).

24 **SECTION 93.** 948.60 (1) of the statutes is amended to read:

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1 948.60 (1) In this section, “dangerous weapon” means any firearm, loaded or
2 unloaded; any electric weapon, as defined in s. 941.295 (4) (1c)(a); metallic knuckles
3 or knuckles of any substance which could be put to the same use with the same or
4 similar effect as metallic knuckles; a nunchaku or any similar weapon consisting of
5 2 sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire
6 or leather; a cestus or similar material weighted with metal or other substance and
7 worn on the hand; a shuriken or any similar pointed star-like object intended to
8 injure a person when thrown; or a manrikigusari or similar length of chain having
9 weighted ends.

10 **SECTION 94.** 948.605 (1) (a) and (am) of the statutes are repealed.

11 **SECTION 95.** 948.605 (2) (b) (intro.) of the statutes is amended to read:

12 948.605 (2) (b) (intro.) Paragraph (a) does not apply to the possession of a
13 firearm by any of the following:

14 **SECTION 96.** 948.605 (2) (b) 1. to 5. and 7. of the statutes are repealed.

15 **SECTION 97.** 948.605 (2) (b) 1m. and 1r. of the statutes are created to read:

16 948.605 (2) (b) 1m. A person who possesses the firearm in accordance with 18
17 USC 922 (q) (2) (B) (i), (iii), (iv), (v), (vi), or (vii).

18 1r. Except if the person is in or on the grounds of a school, a person who
19 possesses the firearm in accordance with 18 USC 922 (q) (2) (B) (ii). For purposes of
20 18 USC 922 (q) (2) (B) (ii), an out-of-state licensee, as defined in s. 175.60 (1) (g), is
21 fully licensed under the laws of this state.

22 **SECTION 98.** 948.605 (2) (b) 6. of the statutes is renumbered 948.605 (2) (b) 2m.
23 and amended to read:

24 948.605 (2) (b) 2m. ~~By a law enforcement officer or~~ A state-certified
25 commission warden acting in his or her official capacity; ~~or~~.

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1 **SECTION 99.** 948.605 (2) (b) 8. of the statutes is renumbered 948.605 (2) (b) 3m.
2 and amended to read:

3 948.605 (2) (b) 3m. ~~By a~~ A person who is legally hunting in a school forest if
4 the school board has decided that hunting may be allowed in the school forest under
5 s. 120.13 (38).

6 **SECTION 100.** 968.255 (1) (a) 2. of the statutes is amended to read:

7 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30 (1), 940.19,
8 941.20 (1), 941.23, 941.237, 941.24, 948.60, or 948.61.

9 **SECTION 101.** 971.37 (1m) (a) 2. of the statutes is amended to read:

10 971.37 (1m) (a) 2. An adult accused of or charged with a criminal violation of
11 s. 940.19, 940.20 (1m), 940.201, 940.225, 940.23, 940.285, 940.30, 940.42, 940.43,
12 940.44, 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49,
13 947.01 (1), 947.012 or 947.0125 and the conduct constituting the violation involved
14 an act by the adult person against his or her spouse or former spouse, against an
15 adult with whom the adult person resides or formerly resided or against an adult
16 with whom the adult person has created a child.

17 **SECTION 102.** 973.055 (1) (a) 1. of the statutes is amended to read:

18 973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified
19 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,
20 940.225, 940.23, 940.235, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44,
21 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1),
22 947.012 or 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20,
23 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1), 947.012 or 947.0125; and

24 **SECTION 103. Nonstatutory provisions.**

SENATE BILL 90**SECTION 103**

1 (1) Using the procedure under section 227.24 of the statutes, the department
2 of justice shall promulgate rules required under section 165.25 (12) of the statutes,
3 as created by this act, for the period before the effective date of the permanent rules
4 promulgated under those sections, but not to exceed the period authorized under
5 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
6 (2) (b), and (3) of the statutes, the department is not required to provide evidence that
7 promulgating a rule under this subsection as an emergency rule is necessary for the
8 preservation of public peace, health, safety, or welfare and is not required to provide
9 a finding of an emergency for a rule promulgated under this subsection.

10 **SECTION 104. Effective dates.** This act takes effect on the first day of the 4th
11 month beginning after publication, except as follows:

12 (1) The treatment of sections 165.25 (12), 175.49 (4), and 175.60 (2m) and (5)
13 of the statutes and SECTION 103 (1) of this act take effect on the day after publication.

14 (END)



2011 ASSEMBLY BILL 126

May 10, 2011 – Introduced by Representatives MURSAU, WILLIAMS, BIES, KLEEFISCH, BALLWEG, BERNIER, BROOKS, ENDSLEY, HONADEL, JACQUE, KERKMAN, KESTELL, KNILANS, KNUDSON, T. LARSON, LEMAHIEU, MURTHA, NASS, NERISON, NYGREN, A. OTT, PETERSEN, PETRYK, RIVARD, SEVERSON, SPANBAUER, STEINEKE, STRACHOTA, TAUCHEN and VAN ROY, cosponsored by Senators GALLOWAY, GROTHMAN, HARSDDORF, HOLPERIN, KAPANKE, LAZICH, LEIBHAM, MOULTON and ZIPPERER. Referred to Committee on Criminal Justice and Corrections.

1 **AN ACT** *to repeal* 941.237 (4), 948.605 (1) (a) and (am) and 948.605 (2) (b) 1. to
2 5. and 7.; *to renumber* 167.30, 941.295 (1), 943.13 (1e) (a) and 947.01; *to*
3 *renumber and amend* 23.33 (3) (e), 29.089 (2), 29.091, 29.314 (4) (b) 1., 29.621
4 (4), 440.26 (3m), 941.23, 941.235 (2), 941.295 (2) (d), 941.295 (4), 943.13 (2),
5 948.605 (2) (b) 6. and 948.605 (2) (b) 8.; *to amend* 48.685 (2) (bb), 50.065 (2) (bb),
6 59.54 (6), 66.0409 (3) (b), 165.60, 165.81 (2), 165.82 (1) (intro.), 165.82 (2),
7 167.31 (1) (b), 813.12 (6) (am) 1., 813.122 (9) (am) 1., 813.125 (5r) (a), 895.527
8 (5) (a), 938.396 (2g) (n), 939.22 (10), 941.295 (2) (intro.), 943.13 (1m) (b), 943.13
9 (3), 947.011 (2) (a) 1., 947.011 (2) (c) 1., 947.011 (2) (d), 948.60 (1), 948.605 (2)
10 (b) (intro.), 968.255 (1) (a) 2., 971.37 (1m) (a) 2. and 973.055 (1) (a) 1.; *to repeal*
11 *and recreate* 29.314 (3) (b) 1.; and *to create* 20.455 (2) (gs), 20.455 (2) (gu),
12 23.33 (3) (e) 1., 23.33 (3) (e) 2., 23.33 (3) (e) 3., 23.33 (3) (e) 4., 29.089 (2) (a),
13 29.089 (2) (b), 29.089 (2) (c), 29.089 (2) (d), 29.091 (2), 29.314 (4) (b) 1g., 29.621
14 (4) (a), 29.621 (4) (b), 29.621 (4) (c), 29.621 (4) (d), 29.621 (6), 66.0409 (6), 165.25

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1 (12), 167.30 (2), 167.31 (4) (ar), 167.31 (4) (at), 175.48, 175.49, 175.60, 440.26
2 (3m) (a), 440.26 (3m) (b), 440.26 (3m) (c), 440.26 (3m) (d), 941.23 (1), 941.23 (2)
3 (b), 941.23 (2) (c), 941.23 (2) (d), 941.23 (2) (e), 941.23 (3), 941.235 (2) (c), 941.235
4 (2) (d), 941.235 (2) (e), 941.237 (3) (cr), 941.237 (3) (ct), 941.237 (3) (cx), 941.295
5 (1c) (b) and (c), 941.295 (2) (d) 2., 941.295 (2g), 941.295 (2r), 943.13 (1e) (aL),
6 943.13 (1e) (bm), 943.13 (1e) (cm), 943.13 (1e) (g), 943.13 (1m) (c), 943.13 (1n),
7 943.13 (2) (bm), 946.71, 947.01 (2) and 948.605 (2) (b) 1m. and 1r. of the statutes;
8 **relating to:** carrying a concealed weapon; licenses authorizing persons to carry
9 concealed weapons; possessing or transporting a firearm, bow, or crossbow
10 under certain circumstances; disorderly conduct limitations; photographic
11 identification cards for former law enforcement officers; providing an
12 exemption from emergency rule procedures; requiring the exercise of
13 rule-making authority; making appropriations; and providing penalties.

Analysis by the Legislative Reference Bureau

This bill creates a licensing system under which an individual is permitted to carry a concealed weapon. The bill also makes changes in Wisconsin law to account for a federal law that requires the state to permit an individual who works as or who formerly worked as a federal, state, tribal, or local law enforcement officer in Wisconsin or in any other state to carry a concealed firearm. This bill also makes changes to laws regulating firearms and other weapons.

CURRENT LAW REGARDING THE POSSESSION OF WEAPONS***Wisconsin law***

In general, under current Wisconsin law, no person may go armed with a concealed and dangerous weapon. The “going armed with” language includes cases in which a person is carrying a concealed weapon but has not gone and is not going anywhere with it and cases in which a weapon is readily accessible to a person in a car. A person who violates the prohibition may be fined not more than \$10,000 or imprisoned for not more than nine months or both. This prohibition has many exceptions. First, Wisconsin law provides an exception for law enforcement officers. Second, under *State v. Hamdan*, 2003 WI 113, 264 Wis. 2d 433, this prohibition is unconstitutional if applied to a person carrying a concealed weapon at his or her own business when: 1) the person’s interest in carrying a concealed weapon substantially

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outweighs the state's interest in enforcing the concealed weapons law; 2) the person has no other reasonable means to keep and handle the weapon; and 3) the person is not motivated by an unlawful purpose in concealing it. In *Hamdan*, the court also indicated that the constitutional right to keep and bear arms for security allows a person to carry a concealed weapon under certain circumstances in his or her own home.

Current Wisconsin law also prohibits, with certain exceptions, going armed with or possessing a firearm in a public building, tavern, state park, or wildlife refuge or within 1,000 feet of the grounds of a school. In addition, current Wisconsin law prohibits, with certain exceptions, carrying a firearm, bow, or crossbow in most vehicles unless the firearm is unloaded and encased or the bow or crossbow is unstrung and encased. A person who violates one of these prohibitions is subject to civil or criminal penalties.

Federal law

Under federal law, qualified current law enforcement officers and qualified former law enforcement officers may carry concealed firearms that have been shipped or transported in interstate or foreign commerce, regardless of any state prohibition.

Federal law specifies the criteria that a person must meet to be a qualified current law enforcement officer or a qualified former law enforcement officer. To be the first, a person must: 1) be employed by a government agency; 2) be a law enforcement officer; 3) be authorized by the agency to carry a firearm; 4) not be the subject of any disciplinary action by the agency that could result in the loss or suspension of law enforcement authority; 5) not be under the influence of alcohol or other drugs; 6) not be prohibited under federal law from possessing a firearm; and 7) meet all standards, if any, established by the agency to qualify the person on a regular basis to use a firearm. For a person to be a qualified former law enforcement officer, all of the following must apply: 1) the person separated from service with a government agency as a law enforcement officer in good standing; 2) before separating from service, the person served as a law enforcement officer for an aggregate of 10 years or more or separated due to a service-connected disability after completing any applicable probationary period; 3) the person has not been found by a medical professional to be unqualified to be a law enforcement officer for reasons related to his or her mental health and has not acknowledged in an agreement with the law enforcement agency that formerly employed him or her that he or she is not qualified to be a law enforcement officer for reasons related to his or her mental health; 4) the person is not under the influence of alcohol or other drugs; 5) the person is not prohibited under federal law from possessing a firearm; and 6) during the most recent 12-month period, the person has met his or her home state's standards for qualification for active duty law enforcement officers to carry a firearm.

Under federal law, if a person is a qualified law enforcement officer, the prohibition contained in Wisconsin law regarding going armed with a concealed and dangerous weapon does not apply to his or her going armed with a concealed firearm if the person carries a photographic identification issued by the agency for which he or she works. If the person is a qualified former law enforcement officer, the

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prohibition does not apply to his or her going armed with a concealed firearm if the person carries either: 1) a photographic identification issued by the law enforcement agency from which the person separated from service as a law enforcement officer that indicates that, within the preceding 12 months, the person has met the standards set by the agency for qualification for active duty law enforcement officers to carry the type of firearm that the qualified former law enforcement officer is carrying concealed; or 2) both of the following: a) a photographic identification issued by the agency from which the person separated from service as a law enforcement officer; and b) a certification issued by the state in which the person resides or by a certified firearms instructor that is qualified to test active duty officers in that state that indicates that, within the preceding 12 months, the person has been found to meet either state standards or standards set by a law enforcement agency in the state for qualification for active duty law enforcement officers to carry the type of firearm that the qualified former law enforcement officer is carrying concealed.

Federal law also specifies that a state may: 1) permit private persons or entities to bar the possession of concealed firearms on their own property; and 2) prohibit or restrict the possession of firearms on any state or local government property, installation, base, building, or park.

HOW THE BILL CHANGES WISCONSIN'S CONCEALED WEAPONS LAW***Carrying a concealed weapon in your own home or business***

This bill permits a person to go armed with a concealed and dangerous weapon in his or her own home or place of business or on land that he or she owns, leases, or legally occupies.

Licenses to carry a concealed weapon

This bill creates a procedure by which a person may apply to the Department of Justice (DOJ) for a license to carry a concealed weapon. Specifically, the license authorizes a person to carry a concealed weapon (a handgun, an electric weapon, a knife other than a switchblade, or a billy club) anywhere in this state except in particular places. Accordingly, the bill amends other prohibitions previously discussed that relate to the use and possession of firearms to specify that they generally do not apply to licensees.

A person licensed under the bill is generally prohibited from carrying a concealed weapon or a weapon that is not concealed in a police station, sheriff's office, or state patrol station; in a prison or jail; in a courthouse; beyond the security checkpoint at an airport; and on the grounds of a school. A business owner or person in his or her own home may prohibit a licensee from carrying a concealed weapon into the business or home, an employer generally may prohibit an employee from carrying a concealed weapon in the course of the employee's employment, and the state or a local governmental unit may prohibit a licensee from carrying a firearm into a building that is owned, occupied, or controlled by the state or the local governmental unit.

Licensing requirements and procedure

Under the bill, DOJ must issue or renew a license to carry a concealed weapon to an applicant who is a resident of Wisconsin unless the applicant is less than 21

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years old or is prohibited from possessing a firearm under federal or state law. DOJ must conduct a background check of an applicant for a license or for a license renewal to determine if he or she is ineligible for a license.

Furthermore, the bill does all of the following:

1. Provides that, with certain exceptions, a license to carry a concealed weapon is valid for five years.

2. Requires each circuit court to notify DOJ of any court proceeding that would result in a suspension or revocation of a license if the subject of the proceeding had a license. DOJ must determine if the subject of such proceeding has a license and, if the subject does, DOJ must revoke the license if the subject is no longer eligible to have a license or suspend the license if the subject, after being charged with a misdemeanor, is ordered by the court not to possess a firearm.

3. Allows an individual who requires a license immediately to petition a court for such a license. A court may grant a license, which is valid for 30 days, if the court determines that immediate licensure is warranted to protect the individual from death or great bodily harm.

4. Provides an appeals process for a person whose application for a license is denied or whose license is suspended or revoked.

5. Requires DOJ to keep a list of licensees but specifies that DOJ may provide information from that list regarding a specific licensee only to law enforcement agencies and only in certain circumstances.

6. Requires a person who applies for a license to pay a \$13 background check fee and an application fee of up to \$52 to cover DOJ's costs in issuing the license. A person who applies to renew his or her license must pay the same background check fee and a renewal fee of up to \$27 to cover DOJ's costs in renewing the license.

7. Grants immunity from liability for acts done under the bill to DOJ, the Department of Transportation, and the employees of both departments; various court employees; businesses, nonprofit organizations, or individuals that do not prohibit persons from carrying concealed weapons on their property; and employers that do not prohibit employees from carrying concealed weapons during the course of employment.

8. Treats a permit, license, approval, or other authorization issued by another state in the same manner as a license issued under this bill if the individual who possesses the authorization submitted to a background check to determine if the individual is prohibited from possessing a firearm.

Penalties for certain offenses related to weapons

The bill establishes penalties for offenses that relate to concealed weapons or that are committed by licensees. First, a licensee or out-of-state licensee who fails to carry his or her license document or photographic identification, or to display either upon the request of a law enforcement officer, while the person is carrying a concealed weapon, may be required to forfeit \$25. Second, a licensee who, for a second or subsequent time, or an individual whose license is suspended or revoked who fails to notify DOJ of a change in address within 30 days of the change may be required to forfeit \$50. Third, a licensee who carries a concealed weapon in a place where the bill prohibits him or her from doing so may be fined not more than \$500

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or imprisoned for not more than 30 days or both. Fourth, a person who intentionally fails to relinquish a license document to DOJ after the license has been revoked must be fined not more than \$500 and may be imprisoned for not more than 30 days, or both. Fifth, a person who intentionally makes a false statement in an application for a license may be charged with false swearing, a Class H felony.

The bill also prohibits an individual from intentionally representing that an invalid license to carry a concealed weapon is valid; from selling, lending, or allowing another individual to use his or her license; from representing that a license belongs to the individual if it has not been issued to him or her; from permitting unlawful use of his or her license; from reproducing a license for unlawful purposes; or from altering a license. A person who violates one of these prohibitions is guilty of a misdemeanor and may be fined not more than \$10,000 or imprisoned for not more than nine months, or both.

Active duty and former law enforcement officers

This bill codifies the provisions of federal law that make the state concealed weapons prohibition inapplicable to active duty and former law enforcement officers under the circumstances specified in federal law as described above. To implement federal law, the bill also makes certain other state law prohibitions regarding the carrying of firearms inapplicable to an active duty or former law enforcement officer if he or she is carrying a concealed firearm under those same circumstances.

This bill also requires state and local law enforcement agencies to issue and renew certification cards to qualified former law enforcement officers who separated from service with those agencies and requires DOJ to issue and renew certification cards to qualified former federal law enforcement officers who reside in Wisconsin. The qualifications mirror those listed in federal law, including: the former officer was in good standing when he or she separated from service; the former officer served for a period of ten years, unless he or she separated earlier due to service-connected disability after completing any probationary period; the former officer has met certain standards for qualification for active duty law enforcement officers to carry certain types of firearms; and the former officer was not disqualified from law enforcement for reasons related to his or her mental health. The cards enable the former officers to carry concealed firearms in the manner provided under federal law. The law enforcement agencies or DOJ, whichever is issuing the certification card to the former officer, must include personal information about the former officer, including a photograph; must include a statement that the former officer has met certain standards for qualification for active duty law enforcement officers to carry the types of firearms that are listed on the certification card; and must provide an expiration date of 12 months after the certification card is issued or renewed.

If a former officer is carrying his or her valid certification card, he or she is exempt from the prohibitions against carrying a concealed weapon only if the following apply: 1) the former officer is not carrying a firearm that is not designated on the card or identification, if the card or identification includes such a designation, and the firearm is not a machine gun or a destructive device and he or she is not carrying a firearm silencer; 2) the former officer is not under the influence of an

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intoxicant; and 3) federal law does not prohibit the former officer from possessing a firearm.

OTHER LAWS REGARDING WEAPONS

This bill specifies that an individual does not violate the prohibition against disorderly conduct, or does not violate any local ordinance prohibiting disorderly conduct, by loading, carrying, or going armed with a firearm without regard to whether the firearm is loaded or whether the firearm is concealed or openly carried.

Current law imposes certain restrictions on the placement, possession, and transportation (carrying) of a firearm in or on a vehicle. The restrictions vary depending on the type of vehicle in which the firearm is carried. Generally, current law prohibits a person from carrying a firearm in or on a vehicle unless the firearm is unloaded and encased and prohibits a person from loading or discharging a firearm in or from a vehicle. This bill specifies that these restrictions do not apply to a person who carries a firearm in a vehicle, other than a commercial airplane, if the person is a qualified active duty or former law enforcement officer or a licensee and if the firearm is a handgun.

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 concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state and local* 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.** 20.455 (2) (gs) of the statutes is created to read:

2 20.455 (2) (gs) *Background check for licenses to carry concealed weapons.* All
3 moneys received as fee payments under s. 175.60 (7) (c) and (d) and (15) (b) 4. a. and
4 b. to provide services under s. 175.60.

5 **SECTION 2.** 20.455 (2) (gu) of the statutes is created to read:

6 20.455 (2) (gu) *Certification cards for carrying concealed weapons.* All moneys
7 received as fees under s. 175.49 (5m) to verify eligibility of, and to issue certification
8 cards to, former officers seeking to carry concealed weapons.

ASSEMBLY BILL 126**SECTION 3**

1 **SECTION 3.** 23.33 (3) (e) of the statutes is renumbered 23.33 (3) (e) (intro.) and
2 amended to read:

3 23.33 **(3)** (e) (intro.) With any firearm in his or her possession unless it is
4 unloaded and enclosed in a carrying case, or any bow unless it is unstrung or enclosed
5 in a carrying case. This paragraph does not apply to any of the following:

6 **SECTION 4.** 23.33 (3) (e) 1. of the statutes is created to read:

7 23.33 **(3)** (e) 1. A person who is employed in this state by a public agency as a
8 law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

9 **SECTION 5.** 23.33 (3) (e) 2. of the statutes is created to read:

10 23.33 **(3)** (e) 2. A qualified out-of-state law enforcement officer, as defined in
11 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

12 **SECTION 6.** 23.33 (3) (e) 3. of the statutes is created to read:

13 23.33 **(3)** (e) 3. A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
14 (2) (c) 1. to 7. applies.

15 **SECTION 7.** 23.33 (3) (e) 4. of the statutes is created to read:

16 23.33 **(3)** (e) 4. A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
17 licensee, as defined in s. 175.60 (1) (g), who possesses a handgun, as defined in s.
18 175.60 (1) (bm).

19 **SECTION 8.** 29.089 (2) of the statutes is renumbered 29.089 (2) (intro.) and
20 amended to read:

21 29.089 **(2)** (intro.) Except as provided in sub. (3), no person may have in his or
22 her possession or under his or her control a firearm on land located in state parks or
23 state fish hatcheries unless the firearm is unloaded and enclosed within a carrying
24 case. This subsection does not apply to any of the following:

25 **SECTION 9.** 29.089 (2) (a) of the statutes is created to read:

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1 29.089 (2) (a) A person who is employed in this state by a public agency as a
2 law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

3 **SECTION 10.** 29.089 (2) (b) of the statutes is created to read:

4 29.089 (2) (b) A qualified out-of-state law enforcement officer, as defined in s.
5 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

6 **SECTION 11.** 29.089 (2) (c) of the statutes is created to read:

7 29.089 (2) (c) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
8 (2) (c) 1. to 7. applies.

9 **SECTION 12.** 29.089 (2) (d) of the statutes is created to read:

10 29.089 (2) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
11 licensee, as defined in s. 175.60 (1) (g), if the firearm is a handgun, as defined in s.
12 175.60 (1) (bm).

13 **SECTION 13.** 29.091 of the statutes is renumbered 29.091 (1) and amended to
14 read:

15 29.091 (1) No person may hunt or trap within any wildlife refuge established
16 under s. 23.09 (2) (b) or 29.621 (1), or, except as provided in sub. (2), have possession
17 or control of any gun, firearm, bow or crossbow unless the gun or firearm is unloaded,
18 the bow or crossbow is unstrung and the gun, firearm, bow or crossbow is enclosed
19 within a carrying case. The taking of predatory game birds and animals shall be done
20 as the department directs. All state wildlife refuge boundary lines shall be marked
21 by posts placed at intervals of not over 500 feet and bearing signs with the words
22 "Wisconsin Wildlife Refuge".

23 **SECTION 14.** 29.091 (2) of the statutes is created to read:

ASSEMBLY BILL 126**SECTION 14**

1 29.091 (2) The prohibition in sub. (1), as it relates to the possession or control
2 of a loaded or unencased gun or firearm within a refuge established under s. 23.09
3 (2) (b), does not apply to any of the following:

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

6 (b) A qualified out-of-state law enforcement officer, as defined in s. 941.23 (1)
7 (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

8 (c) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1.
9 to 7. applies.

10 (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as
11 defined in s. 175.60 (1) (g), if the gun or firearm is a handgun, as defined in s. 175.60
12 (1) (bm).

13 **SECTION 15.** 29.314 (3) (b) 1. of the statutes is repealed and recreated to read:
14 29.314 (3) (b) 1. To any of the following:

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

17 b. A qualified out-of-state law enforcement officer, as defined in s. 941.23 (1)
18 (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

19 c. A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1. to
20 7. applies.

21 d. A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as
22 defined in s. 175.60 (1) (g), if the firearm is a handgun, as defined in s. 175.60 (1) (bm).

23 **SECTION 16.** 29.314 (4) (b) 1. of the statutes is renumbered 29.314 (4) (b) 1r. and
24 amended to read:

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1 29.314 (4) (b) 1r. To ~~a peace officer on official business~~, an employee of the
2 department on official business or a person authorized by the department to conduct
3 a game census.

4 **SECTION 17.** 29.314 (4) (b) 1g. of the statutes is created to read:

5 29.314 (4) (b) 1g. To any person under sub. (3) (b) 1.

6 **SECTION 18.** 29.621 (4) of the statutes is renumbered 29.621 (4) (intro.) and
7 amended to read:

8 29.621 (4) PROTECTION. (intro.) Except as provided in s. 29.091 (1), no owner
9 of a wildlife refuge, and no other person, may hunt or trap within the boundaries of
10 any wildlife refuge or have in his or her possession or under his or her control in the
11 wildlife refuge a gun, firearm, bow or crossbow, unless the gun or firearm is unloaded,
12 the bow or crossbow is unstrung and the gun, firearm, bow or crossbow is enclosed
13 within a carrying case. ~~Nothing in this section may prohibit, prevent or interfere~~
14 ~~with the department in the destruction of injurious animals.~~ This subsection, as it
15 relates to the possession or control of a loaded or unencased firearm, does not apply
16 to any of the following:

17 **SECTION 19.** 29.621 (4) (a) of the statutes is created to read:

18 29.621 (4) (a) A person who is employed in this state by a public agency as a
19 law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.

20 **SECTION 20.** 29.621 (4) (b) of the statutes is created to read:

21 29.621 (4) (b) A qualified out-of-state law enforcement officer, as defined in s.
22 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

23 **SECTION 21.** 29.621 (4) (c) of the statutes is created to read:

24 29.621 (4) (c) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
25 (2) (c) 1. to 7. applies.

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1 **SECTION 22.** 29.621 (4) (d) of the statutes is created to read:

2 29.621 (4) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
3 licensee, as defined in s. 175.60 (1) (g), if the gun or firearm is a handgun, as defined
4 in s. 175.60 (1) (bm).

5 **SECTION 23.** 29.621 (6) of the statutes is created to read:

6 29.621 (6) INJURIOUS ANIMALS. Nothing in this section may prohibit, prevent,
7 or interfere with the department in the destruction of injurious animals.

8 **SECTION 24.** 48.685 (2) (bb) of the statutes is amended to read:

9 48.685 (2) (bb) If information obtained under par. (am) or (b) 1. indicates a
10 charge of a serious crime, but does not completely and clearly indicate the final
11 disposition of the charge, the department, county department, agency contracted
12 with under s. 48.651 (2), child welfare agency, school board, or entity shall make
13 every reasonable effort to contact the clerk of courts to determine the final disposition
14 of the charge. If a background information form under sub. (6) (a) or (am) indicates
15 a charge or a conviction of a serious crime, but information obtained under par. (am)
16 or (b) 1. does not indicate such a charge or conviction, the department, county
17 department, agency contracted with under s. 48.651 (2), child welfare agency, school
18 board, or entity shall make every reasonable effort to contact the clerk of courts to
19 obtain a copy of the criminal complaint and the final disposition of the complaint.
20 If information obtained under par. (am) or (b) 1., a background information form
21 under sub. (6) (a) or (am), or any other information indicates a conviction of a
22 violation of s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01 (1), or 947.013
23 obtained not more than 5 years before the date on which that information was
24 obtained, the department, county department, agency contracted with under s.
25 48.651 (2), child welfare agency, school board, or entity shall make every reasonable

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1 effort to contact the clerk of courts to obtain a copy of the criminal complaint and
2 judgment of conviction relating to that violation.

3 **SECTION 25.** 50.065 (2) (bb) of the statutes is amended to read:

4 50.065 (2) (bb) If information obtained under par. (am) or (b) indicates a charge
5 of a serious crime, but does not completely and clearly indicate the final disposition
6 of the charge, the department or entity shall make every reasonable effort to contact
7 the clerk of courts to determine the final disposition of the charge. If a background
8 information form under sub. (6) (a) or (am), or any disclosure made pursuant to a
9 disclosure policy described under sub. (6) (am), indicates a charge or a conviction of
10 a serious crime, but information obtained under par. (am) or (b) does not indicate
11 such a charge or conviction, the department or entity shall make every reasonable
12 effort to contact the clerk of courts to obtain a copy of the criminal complaint and the
13 final disposition of the complaint. If information obtained under par. (am) or (b), a
14 background information form under sub. (6) (a) or (am), any disclosure made
15 pursuant to a disclosure policy described under sub. (6) (am), or any other
16 information indicates a conviction of a violation of s. 940.19 (1), 940.195, 940.20,
17 941.30, 942.08, 947.01 (1), or 947.013 obtained not more than 5 years before the date
18 on which that information was obtained, the department or entity shall make every
19 reasonable effort to contact the clerk of courts to obtain a copy of the criminal
20 complaint and judgment of conviction relating to that violation.

21 **SECTION 26.** 59.54 (6) of the statutes is amended to read:

22 59.54 (6) PEACE AND ORDER. The board may enact and enforce ordinances to
23 preserve the public peace and good order within the county including, but not limited
24 by enumeration, ordinances prohibiting conduct that is the same as or similar to

ASSEMBLY BILL 126**SECTION 26**

1 conduct that is prohibited by ss. 947.01 (1) and 947.02, and provide a forfeiture for
2 a violation of the ordinances.

3 **SECTION 27.** 66.0409 (3) (b) of the statutes is amended to read:

4 66.0409 (3) (b) Nothing in this section prohibits a city, village or town that is
5 authorized to exercise village powers under s. 60.22 (3) from enacting an ordinance
6 or adopting a resolution that restricts the discharge of a firearm. Any ordinance or
7 resolution that restricts the discharge of a firearm does not apply and may not be
8 enforced if the actor's conduct is justified or, had it been subject to a criminal penalty,
9 would have been subject to a defense described in s. 939.45.

10 **SECTION 28.** 66.0409 (6) of the statutes is created to read:

11 66.0409 (6) No person may be in violation of, or be charged with a violation of,
12 an ordinance of a political subdivision relating to disorderly conduct or other
13 inappropriate behavior for loading, carrying, or going armed with a firearm, without
14 regard to whether the firearm is loaded or is concealed or openly carried. Any
15 ordinance in violation of this subsection does not apply and may not be enforced.

16 **SECTION 29.** 165.25 (12) of the statutes is created to read:

17 165.25 (12) RULES REGARDING CONCEALED WEAPONS LICENSES. Promulgate by
18 rule a list of states that issue a permit, license, approval, or other authorization to
19 carry a concealed weapon if the permit, license, approval, or other authorization
20 requires, or designates that the holder chose to submit to, a background search that
21 is comparable to a background check as defined in s. 175.60 (1) (ac).

22 **SECTION 30.** 165.60 of the statutes is amended to read:

23 **165.60 Law enforcement.** The department of justice is authorized to enforce
24 ss. 101.123 (2), (2m), and (8), 175.60 (17) (e), 944.30, 944.31, 944.33, 944.34, 945.02
25 (2), 945.03 (1m), and 945.04 (1m) and ch. 108 and, with respect to a false statement

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1 submitted or made under s. 175.60 (7) (b) or (15) (b) 2., to enforce s. 946.32 and is
2 invested with the powers conferred by law upon sheriffs and municipal police officers
3 in the performance of those duties. This section does not deprive or relieve sheriffs,
4 constables, and other local police officers of the power and duty to enforce those
5 sections, and those officers shall likewise enforce those sections.

6 **SECTION 31.** 165.81 (2) of the statutes is amended to read:

7 165.81 (2) Any electric weapon, as defined in s. 941.295 (4) (1c) (a), in the
8 possession of the laboratories shall either be destroyed or be turned over to an agency
9 authorized to have electric weapons under s. 941.295 (2).

10 **SECTION 32.** 165.82 (1) (intro.) of the statutes is amended to read:

11 165.82 (1) (intro.) Notwithstanding s. 19.35 (3), the department of justice shall
12 impose the following fees, plus any surcharge required under sub. (1m), for criminal
13 history searches for purposes unrelated to criminal justice or to s. 175.35, 175.49, or
14 175.60:

15 **SECTION 33.** 165.82 (2) of the statutes is amended to read:

16 165.82 (2) ~~Except as provided in s. 175.35, the~~ The department of justice shall
17 not impose fees for criminal history searches for purposes related to criminal justice.

18 **SECTION 34.** 167.30 of the statutes is renumbered 167.30 (1).

19 **SECTION 35.** 167.30 (2) of the statutes is created to read:

20 167.30 (2) Subsection (1) does not apply to the discharge of a firearm if the
21 actor's conduct is justified or, had it been subject to a criminal penalty, would have
22 been subject to a defense described in s. 939.45.

23 **SECTION 36.** 167.31 (1) (b) of the statutes is amended to read:

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1 167.31 (1) (b) “Encased” means enclosed in a case ~~that is expressly made for~~
2 ~~the purpose of containing a firearm and~~ that is completely zipped, snapped, buckled,
3 tied or otherwise fastened with no part of the firearm exposed.

4 **SECTION 37.** 167.31 (4) (ar) of the statutes is created to read:

5 167.31 (4) (ar) The restrictions that apply to firearms under sub. (2) (a), (b), and
6 (c), and, if the aircraft is not a commercial aircraft, sub. (3) (a) and (b), do not apply
7 to any of the following if the firearm is a handgun, as defined in s. 175.60 (1) (bm):

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

10 2. A qualified out-of-state law enforcement officer, as defined in s. 941.23 (1)
11 (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

12 3. A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1. to
13 7. applies.

14 4. A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as
15 defined in s. 175.60 (1) (g).

16 **SECTION 38.** 167.31 (4) (at) of the statutes is created to read:

17 167.31 (4) (at) Subsections (2) (c) and (d) and (3) (b) do not apply to the
18 discharge of a firearm if the actor’s conduct is justified or, had it been subject to a
19 criminal penalty, would have been subject to a defense described in s. 939.45.

20 **SECTION 39.** 175.48 of the statutes is created to read:

21 **175.48 Law enforcement officer identification cards. (1)** In this section,
22 “Wisconsin law enforcement agency” has the meaning given in s. 175.46 (1) (f).

23 **(2)** If a Wisconsin law enforcement agency issues photographic identification
24 cards to its officers, it may not require an officer to relinquish his or her card when

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1 the officer separates from service with the Wisconsin law enforcement agency unless
2 one of the following applies:

3 (a) The officer may not lawfully possess a firearm under federal law.

4 (b) The officer did not separate from service in good standing as a law
5 enforcement officer with the agency.

6 (c) The officer served as a law enforcement officer for an aggregate of less than
7 10 years. This paragraph does not apply if the officer, after completing any
8 applicable probationary period of service with the agency, separated from service
9 with the agency due to a service-connected disability, as determined by the agency.

10 (d) 1. A qualified medical professional employed by the law enforcement agency
11 has found the officer to be unqualified to be a law enforcement officer for reasons
12 related to the officer's mental health.

13 2. The officer has entered into an agreement with the law enforcement agency
14 from which he or she is separating from service in which the officer acknowledges
15 that he or she is not qualified to be a law enforcement officer for reasons related to
16 the officer's mental health and in which the officer declines the photographic
17 identification for that reason.

18 (3) Unless sub. (2) (a), (b), (c), or (d) applies, if a Wisconsin law enforcement
19 agency does not issue photographic identification cards to its officers, it shall issue
20 such a card to an officer who separates from service with that agency upon the
21 separating officer's request and at his or her expense.

22 (4) This section does not restrict the right of an officer who has separated from
23 service to go armed with a firearm that is not concealed.

24 **SECTION 40.** 175.49 of the statutes is created to read:

ASSEMBLY BILL 126**SECTION 40**

1 **175.49 Former law enforcement officers seeking to carry concealed**
2 **weapons. (1) DEFINITIONS.** In this section:

3 (a) “Department” means the department of justice.

4 (b) “Destructive device” has the meaning given in 18 USC 921 (a) (4).

5 (c) “Firearm silencer” has the meaning given in s. 941.298 (1).

6 (d) “Former federal law enforcement officer” means a person who separated
7 from service as a law enforcement officer at a federal law enforcement agency and
8 who resides in Wisconsin.

9 (e) “Former law enforcement officer” means a person who separated from
10 service as a law enforcement officer at a state or local law enforcement agency in
11 Wisconsin.

12 (f) “Law enforcement agency” means an agency that consists of one or more
13 persons employed by the federal government, including any agency described under
14 18 USC 926C (e) (2); a state, or a political subdivision of a state; the U.S. armed forces;
15 or the national guard, that has as its purposes the prevention and detection of crime
16 and the enforcement of laws or ordinances, and that is authorized to make arrests
17 for crimes.

18 (g) “Law enforcement officer” means a person who is employed by a law
19 enforcement agency for the purpose of engaging in, or supervising others engaging
20 in, the prevention, detection, investigation, or prosecution of, or the incarceration of
21 any person for, any violation of law and who has statutory powers of arrest.

22 (h) “Machine gun” has the meaning given in s. 941.27 (1).

23 **(2) CERTIFICATION OF FORMER LAW ENFORCEMENT OFFICERS.** (a) Upon the request
24 of a former law enforcement officer and at the expense of the former law enforcement
25 agency officer, a law enforcement agency that employed the former law enforcement

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1 officer shall, except as provided in par. (b), issue the former law enforcement officer
2 a certification card as described in sub. (4) stating all of the following:

3 1. The type of firearm the former law enforcement officer is certified to carry,
4 but no former law enforcement officer may be certified to carry a machine gun, a
5 firearm silencer, or a destructive device.

6 2. The former law enforcement officer has been found by the state, or by a
7 certified firearms instructor if such an instructor is qualified to conduct a firearms
8 qualification test for law enforcement officers in the state, to meet the standards for
9 qualification in firearms training for law enforcement officers to carry a firearm of
10 the type under subd. 1., that are established by the state or, if the state does not
11 establish standards, by the law enforcement agency from which the former law
12 enforcement officer separated.

13 3. The date on which the finding under subd. 2. was made and an expiration
14 date that is 12 months later than that date.

15 4. That, due to the finding under subd. 2., the former law enforcement officer
16 is qualified to carry a concealed firearm of the type under subd. 1.

17 (b) The law enforcement agency may not issue the former law enforcement
18 officer a certification card under par. (a) unless the law enforcement agency first
19 verifies all of the following:

20 1. The former law enforcement officer separated from service as a law
21 enforcement officer with the law enforcement agency in good standing.

22 2. The former law enforcement officer served as a law enforcement officer for
23 an aggregate of at least 10 years or the former law enforcement officer separated
24 from law enforcement service due to a service-connected disability, as determined
25 by the law enforcement agency, after completing any applicable probationary period.

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1 3. a. A qualified medical professional employed by the law enforcement agency
2 has not found the former law enforcement officer to be unqualified to be a law
3 enforcement officer for reasons related to the former officer's mental health.

4 b. The former law enforcement officer has not entered into an agreement with
5 the law enforcement agency from which he or she separated from service in which
6 the former officer acknowledges that he or she is not qualified to be a law enforcement
7 officer for reasons related to his or her mental health and in which he or she declines
8 the photographic identification for that reason.

9 4. The former law enforcement officer is not prohibited under federal law from
10 possessing a firearm as indicated by a search of the transaction information for
11 management of enforcement system and the national crime information center
12 system.

13 5. The former law enforcement officer has, during the previous 12 months at
14 his or her own expense, been found by the state, or by a certified firearms instructor
15 if such an instructor is qualified to conduct a firearms qualification test for law
16 enforcement officers in the state, to meet the standards for qualification in firearms
17 training for law enforcement officers to carry a firearm of the type under par. (a) 1.,
18 that are established by the state or, if the state does not establish standards, by the
19 law enforcement agency from which the former law enforcement officer separated.

20 **(3) CERTIFICATION OF FORMER FEDERAL LAW ENFORCEMENT OFFICERS.** (a) Upon the
21 request of a former federal law enforcement officer and at the expense of the former
22 federal law enforcement officer, the department shall, except as provided in par. (b),
23 issue the former federal law enforcement officer a certification card as described in
24 sub. (4) stating all of the following:

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1 1. The type of firearm the former federal law enforcement officer is certified to
2 carry, but no former federal law enforcement officer may be certified to carry a
3 machine gun, a firearm silencer, or a destructive device.

4 2. The former federal law enforcement officer been found by the state, or by a
5 certified firearms instructor if such an instructor is qualified to conduct a firearms
6 qualification test for law enforcement officers in the state, to meet the standards for
7 qualification in firearms training for law enforcement officers to carry a firearm of
8 the type under subd. 1., that are established by the state or, if the state does not
9 establish standards, by any law enforcement agency in the state.

10 3. The date on which the finding under subd. 2. was made and an expiration
11 date that is 12 months later than that date.

12 4. That, due to the finding under subd. 2., the former federal law enforcement
13 officer is qualified to carry a concealed firearm of the type under subd. 1.

14 (b) The department may not issue the former federal law enforcement officer
15 a certification card under par. (a) unless the department first verifies all of the
16 following:

17 1. The former federal law enforcement officer separated from service as a law
18 enforcement officer with the law enforcement agency in good standing.

19 2. The former federal law enforcement officer served as a law enforcement
20 officer for an aggregate of at least 10 years or the former federal law enforcement
21 officer separated from law enforcement service due to a service-connected disability,
22 as determined by the law enforcement agency from which the former federal law
23 enforcement officer separated, after completing any applicable probationary period.

24 3. a. A qualified medical professional employed by the law enforcement agency
25 from which the former federal law enforcement officer separated has not found the

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1 former federal law enforcement officer to be unqualified to be a law enforcement
2 officer for reasons related to the former officer's mental health.

3 b. The former federal law enforcement officer has not entered into an
4 agreement with the law enforcement agency from which he or she separated from
5 service in which the former officer acknowledges that he or she is not qualified to be
6 a law enforcement officer for reasons related to his or her mental health.

7 4. The former federal law enforcement officer is not prohibited under federal
8 law from possessing a firearm as indicated by a search of the transaction information
9 for management of enforcement system and the national crime information center
10 system.

11 5. The former federal law enforcement officer has, during the previous 12
12 months at his or her own expense, been found by the state, or by a certified firearms
13 instructor if such an instructor is qualified to conduct a firearms qualification test
14 for law enforcement officers in the state, to meet the standards for qualification in
15 firearms training for law enforcement officers to carry a firearm of the type under
16 par. (a) 1., that are established by the state or, if the state does not establish
17 standards, by any law enforcement agency in the state.

18 **(4) CERTIFICATION CARDS.** (a) 1. Subject to pars. (b), (c), and (d) and sub. (3) (a),
19 the department shall design a certification card to be issued by the department under
20 sub. (3) (a).

21 2. Subject to pars. (b), (c), and (d) and sub. (2) (a), each law enforcement agency,
22 upon a request, shall design a certification card to be issued by the law enforcement
23 agency under sub. (2) (a).

24 (b) A certification card shall contain on one side all of the following:

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1 1. The full name, date of birth, and residence address of the person who holds
2 the certification card.

3 2. A photograph of the certification card holder and a physical description that
4 includes sex, height, and eye color.

5 3. The name of this state.

6 (c) A certification card shall include a statement that the certification card does
7 not confer any law enforcement authority on the certification card holder and does
8 not make the certification card holder an employee or agent of the certifying agency
9 or department.

10 (d) A certification card may not contain the certification card holder's social
11 security number.

12 **(5) RENEWAL OF CERTIFICATION CARDS.** A person who holds a current certification
13 card issued under sub. (2) or (3) may renew the certification card by requesting the
14 law enforcement agency or the department, whichever issued the current
15 certification card, to renew the certification card at the expense of the person holding
16 the card, if, before the date the certification card expires, the law enforcement agency
17 verifies sub. (2) (b) 4. and 5. if the certification card holder is a former law
18 enforcement officer, or the department verifies sub. (3) (b) 4. and 5. if the certification
19 card holder is a former federal law enforcement officer, and the certification card
20 holder provides any information necessary for the verification. The renewal shall
21 state the date on which verification was made and an expiration date that is 12
22 months later than that date.

23 **(5m) FEES.** The department may charge a fee to verify eligibility for a
24 certification card under this section, for the issuance of a certification card under sub.
25 (3), or for the renewal of a certification card under sub. (5), but the fee may not exceed

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1 the costs the department incurs in verifying eligibility or for issuing or renewing a
2 certification card. Payments made to the department under this subsection shall be
3 credited to the appropriation account under s. 20.455 (2) (gu).

4 (6) IMMUNITY. (a) When acting in good faith under this section, the department
5 and its employees and a law enforcement agency and its employees are immune from
6 civil and criminal liability arising from any act or omission under this section.

7 (b) When acting in good faith under this section, an entity providing firearms
8 training to comply with the requirements under sub. (2) (a) 2., (3) (a) 2., or (5) and
9 its employees are immune from civil and criminal liability arising from any act or
10 omission that is related to that training.

11 (7) GOING ARMED WITH A FIREARM. This section does not limit a former officer's
12 right to go armed with a firearm that is not concealed.

13 **SECTION 41.** 175.60 of the statutes is created to read:

14 **175.60 License to carry a concealed weapon. (1) DEFINITIONS.** In this
15 section:

16 (ac) "Background check" means the searches the department conducts under
17 sub. (9g) to determine a person's eligibility for a license to carry a concealed weapon.

18 (ag) "Carry" means to go armed with.

19 (b) "Department" means the department of justice.

20 (bm) "Handgun" means any weapon designed or redesigned, or made or
21 remade, and intended to be fired while held in one hand and to use the energy of an
22 explosive to expel a projectile through a smooth or rifled bore. "Handgun" does not
23 include a machine gun, as defined in s. 941.27 (1), a short-barreled rifle, as defined
24 in s. 941.28 (1) (b), or a short-barreled shotgun, as defined in s. 941.28 (1) (c).

25 (bv) "Law enforcement agency" does not include the department.

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1 (c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

2 (d) "Licensee" means an individual holding a valid license to carry a concealed
3 weapon issued under this section.

4 (e) "Motor vehicle" has the meaning given in s. 340.01 (35).

5 (f) "Out-of-state license" means a valid permit, license, approval, or other
6 authorization issued by another state if all of the following apply:

7 1. The permit, license, approval, or other authorization is for the carrying of a
8 concealed weapon.

9 2. The state is listed in the rule promulgated by the department under s. 165.25
10 (12) and, if that state does not require a background search for the permit, license,
11 approval, or authorization, the permit, license, approval, or authorization
12 designates that the holder chose to submit to a background search.

13 (g) "Out-of-state licensee" means an individual who is 21 years of age or over,
14 who is not a Wisconsin resident, and who has been issued an out-of-state license.

15 (h) "Photographic identification card" means one of the following:

16 1. An operator's license issued under ch. 343 or an identification card issued
17 under s. 343.50.

18 2. A license or card issued by a state other than Wisconsin that is substantially
19 equivalent to a license or card under subd. 1.

20 (i) "State identification card number" means the unique identifying driver
21 number assigned to a person by the department of transportation under s. 343.17 (3)

22 (a) 4. or, if the person has no driver number, the number assigned to the person on
23 an identification card issued under s. 343.50.

24 (j) "Weapon" means a handgun, an electric weapon, as defined in s. 941.295 (4),
25 a knife other than a switchblade knife under s. 941.24, or a billy club.

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1 **(2) ISSUANCE AND SCOPE OF LICENSE.** (a) The department shall issue a license
2 to carry a concealed weapon to any individual who is not disqualified under sub. (3)
3 and who completes the application process specified in sub. (7). A license to carry a
4 concealed weapon issued under this section shall meet the requirements specified in
5 sub. (2m).

6 (b) The department may not impose conditions, limitations, or requirements
7 that are not expressly provided for in this section on the issuance, scope, effect, or
8 content of a license.

9 (c) Unless expressly provided in this section, this section does not limit an
10 individual's right to carry a firearm that is not concealed.

11 **(2g) CARRYING A CONCEALED WEAPON; POSSESSION AND DISPLAY OF LICENSE**
12 **DOCUMENT OR AUTHORIZATION.** (a) A licensee or an out-of-state licensee may carry a
13 concealed weapon anywhere in this state except as provided under subs. (15m) and
14 (16) and ss. 943.13 (1m) (c) and (1n) and 948.605 (2) (b) 1r.

15 (b) Unless the licensee or out-of-state licensee is carrying a concealed weapon
16 in a manner described under s. 941.23 (2) (e), a licensee shall have with him or her
17 his or her license document and photographic identification card and an out-of-state
18 licensee shall have with him or her his or her out-of-state license and photographic
19 identification card at all times during which he or she is carrying a concealed
20 weapon.

21 (c) Unless the licensee or out-of-state licensee is carrying a concealed weapon
22 in a manner described under s. 941.23 (2) (e), a licensee who is carrying a concealed
23 weapon shall display his or her license document and photographic identification
24 card and an out-of-state licensee who is carrying a concealed weapon shall display

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1 his or her out-of-state license and photographic identification card to a law
2 enforcement officer upon the request of the law enforcement officer.

3 **(2m)** LICENSE DOCUMENT; CONTENT OF LICENSE. (a) Subject to pars. (b), (bm), (c),
4 and (d), the department shall design a single license document for licenses issued and
5 renewed under this section. The department shall complete the design of the license
6 document no later than the first day of the 2nd month beginning after the effective
7 date of this paragraph [LRB inserts date].

8 (b) A license document for a license issued under this section shall contain all
9 of the following on one side:

- 10 1. The full name, date of birth, and residence address of the licensee.
- 11 2. A physical description of the licensee, including sex, height, hair color, and
12 eye color.
- 13 3. The date on which the license was issued.
- 14 4. The date on which the license expires.
- 15 5. The name of this state.
- 16 6. A unique identification number for each licensee.

17 (bm) The reverse side of a license document issued under this section shall
18 contain the requirement under sub. (11) (b) that the licensee shall inform the
19 department of any address change no later than 30 days after his or her address
20 changes and the penalty for a violation of the requirement.

21 (c) The license document may not contain the licensee's social security number.

22 (d) 1. The contents of the license document shall be included in the document
23 in substantially the same way that the contents of an operator's license document
24 issued under s. 343.17 are included in that document.

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1 2. The identification card issued under this section shall be tamper proof in
2 substantially the same way that the operator's license is tamper proof under s.
3 343.17 (2).

4 (e) The department of justice may contract with the department of
5 transportation to produce and issue identification cards under this section. Neither
6 the department of transportation nor any employee of the department of
7 transportation may store, maintain, or access the information provided by the
8 department of justice for the production or issuance of identification cards other than
9 to the extent necessary to produce or issue the identification cards.

10 **(3) RESTRICTIONS ON ISSUING A LICENSE.** The department shall issue a license
11 under this section to an individual who submits an application under sub. (7) unless
12 any of the following applies:

13 (a) The individual is less than 21 years of age.

14 (b) The individual is prohibited under federal law from possessing a firearm
15 that has been transported in interstate or foreign commerce.

16 (c) The individual is prohibited from possessing a firearm under s. 941.29.

17 (d) The individual is not a Wisconsin resident.

18 **(5) APPLICATION AND RENEWAL FORMS.** (a) The department shall design an
19 application form for use by individuals who apply for a license under this section and
20 a renewal form for use by individuals applying for renewal of a license under sub.
21 (15). The department shall complete the design of the application form no later than
22 the first day of the 2nd month beginning after the effective date of this paragraph
23 [LRB inserts date], and shall complete the design of the renewal form no later than
24 the first day of the 36th month beginning after the effective date of this paragraph
25 [LRB inserts date]. The forms shall require the applicant to provide only his or

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1 her name, address, date of birth, state identification card number, race, sex, height,
2 hair color, and eye color and shall include all of the following:

3 1. A statement that the applicant is ineligible for a license if sub. (3) (a), (b), (c),
4 or (d) applies to the applicant.

5 2. A statement explaining self-defense and defense of others under s. 939.48,
6 with a place for the applicant to sign his or her name to indicate that he or she has
7 read and understands the statement.

8 3. A statement, with a place for the applicant to sign his or her name, to indicate
9 that the applicant has read and understands the requirements of this section.

10 4. A statement that an applicant may be prosecuted if he or she intentionally
11 gives a false answer to any question on the application or intentionally submits a
12 falsified document with the application.

13 5. A statement of the penalties for intentionally giving a false answer to any
14 question on the application or intentionally submitting a falsified document with the
15 application.

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

21 (b) The department shall make the forms described in this subsection available
22 on the Internet and, upon request, by mail.

23 **(7) SUBMISSION OF APPLICATION.** An individual may apply for a license under this
24 section with the department by submitting, by mail or other means made available
25 by the department, to the department all of the following:

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1 (a) A completed application in the form prescribed under sub. (5) (a).

2 (b) A statement that states that the information that he or she is providing in
3 the application submitted under par. (a) and any document submitted with the
4 application is true and complete to the best of his or her knowledge.

5 (c) A license fee in an amount, as determined by the department by rule, that
6 is equal to the cost of issuing the license but does not exceed \$52. The department
7 shall determine the costs of issuing a license by using a 5-year planning period.

8 (d) A fee for a background check that is equal to the fee charged under s. 175.35
9 (2i).

10 **(9)** PROCESSING OF APPLICATION. (a) Upon receiving an application submitted
11 under sub. (7), the department shall conduct a background check.

12 (b) Within 21 days after receiving a complete application under sub. (7), the
13 department shall do one of the following:

14 1. Issue the license and promptly send the licensee his or her license document
15 by 1st class mail.

16 2. Deny the application, but only if sub. (3) (a), (b), (c), or (d) applies to the
17 applicant. If the department denies the application, the department shall inform the
18 applicant in writing, stating the reason and factual basis for the denial.

19 **(9g)** BACKGROUND CHECKS. (a) The department shall conduct a background
20 check regarding an applicant for a license using the following procedure:

21 1. The department shall create a confirmation number associated with the
22 applicant.

23 2. The department shall use the transaction information for management of
24 enforcement system and the national crime information center system.

25 3. As soon as practicable, the department shall do the following:

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1 a. If the background check indicates sub. (3) (b) or (c) applies to the applicant,
2 create a unique nonapproval number for the applicant.

3 b. If the completed background check does not indicate that sub. (3) (b) or (c)
4 applies to the applicant, create a unique approval number for the applicant.

5 (b) The department shall maintain a record of all completed application forms
6 and a record of all approval or nonapproval numbers regarding background checks
7 under this subsection.

8 **(9r) EMERGENCY LICENSE.** (a) An individual who requires an immediate license
9 may petition the court in the county in which he or she resides for such a license.
10 Unless the court knows that the individual is ineligible for a license under sub. (3),
11 a court may issue a temporary license to an individual if the court determines that
12 immediate licensure is warranted to protect the individual from death or great bodily
13 harm, as defined in s. 939.22 (14).

14 (b) An emergency license issued under this subsection is valid for 30 days
15 unless it is void under par. (c).

16 (c) If the holder of an emergency license issued under par. (a) applies for a
17 license under sub. (7) and is determined to be ineligible under sub. (3) for a license,
18 the emergency license is void.

19 **(11) UPDATED INFORMATION.** (a) 1. In this paragraph:

20 a. "Clerk" means the clerk of the circuit court or, if it has enacted a law or an
21 ordinance in conformity with s. 346.63, the clerk of the court for a federally
22 recognized American Indian tribe or band in this state, a city, a village, or a town.

23 b. "Court automated information systems" means the systems under s. 758.19
24 (4).

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1 2. The court automated information systems, or the clerk or register in probate,
2 if the information is not contained in or cannot be transmitted by the court
3 automated information systems, shall promptly notify the department of the name
4 of any individual with respect to whom any of the following occurs and the specific
5 reason for the notification:

6 a. The individual is found by a court to have committed a felony or any other
7 crime that would disqualify the individual from having a license under this section.

8 b. The individual is found incompetent under s. 971.14.

9 c. The individual is found not guilty of any crime by reason of mental disease
10 or mental defect under s. 971.17.

11 d. The individual is involuntarily committed for treatment under s. 51.20 or
12 51.45.

13 e. The individual is found incompetent under ch. 54.

14 f. The individual becomes subject to an injunction described in s. 941.29 (1) (f)
15 or is ordered not to possess a firearm under s. 813.125 (4m).

16 g. A court has prohibited the individual from possessing a dangerous weapon
17 under s. 969.02 (3) (c).

18 h. A court has ordered the individual not to possess a firearm under s. 51.20
19 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a).

20 3. Upon receiving a notice under subd. 2., the department shall immediately
21 determine if the individual who is the subject of the notice is a licensee, using the list
22 maintained under sub. (12) (a).

23 (b) 1. No later than 30 days after changing his or her address, a licensee shall
24 inform the department of the new address. The department shall include the
25 individual's new address in the list under sub. (12) (a).

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1 2. Except as provided in subd. 3., for a first violation of subd. 1., the department
2 must issue the licensee a warning.

3 3. If an individual is in violation of subd. 1. and his or her license has been
4 suspended or revoked under sub. (14), the individual is subject to the penalty under
5 sub. (17) (ac).

6 4. A licensee may not be charged with a violation of subd. 1. if the department
7 learns of the violation when the licensee informs the department of the address
8 change.

9 **(12) MAINTENANCE, USE, AND PUBLICATION OF RECORDS BY THE DEPARTMENT.** (a) The
10 department shall maintain a computerized record listing the names and the
11 information specified in sub. (2m) (b) of all individuals who have been issued a license
12 under this section. Subject to par. (b) 1. b., neither the department nor any employee
13 of the department may store, maintain, format, sort, or access the information in any
14 way other than by the names, dates of birth, or sex of licensees or by the identification
15 numbers assigned to licensees under sub. (2m) (b) 6.

16 (b) 1. A law enforcement officer may not request or be provided information
17 under par. (a) concerning a specific licensee except for one of the following purposes:

18 a. To confirm that a license produced by an individual at the request of a law
19 enforcement officer is valid.

20 b. If an individual is carrying a concealed weapon and claims to hold a valid
21 license issued under this section but does not have his or her license document, to
22 confirm that the individual holds a valid license under this section.

23 c. To investigate whether an individual submitted an intentionally false
24 statement under sub. (7) (b) or (15) (b) 2.

25 d. To investigate whether an individual complied with sub. (14) (b) 3.

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1 2. A person who is a law enforcement officer in a state other than Wisconsin
2 may request and be provided information under subd. 1. a. and b.

3 (c) Notwithstanding s. 19.35, the department of justice, the department of
4 transportation, or any employee of either department may not make information
5 obtained under this section available to the public except in the context of a
6 prosecution for an offense in which the person's status as a licensee is relevant or
7 through a report created under sub. (19).

8 **(12g)** PROVIDING LICENSEE INFORMATION TO LAW ENFORCEMENT AGENCIES. (a) The
9 department shall provide information concerning a specific licensee to a law
10 enforcement agency, but only if the law enforcement agency is requesting the
11 information for any of the following purposes:

12 1. To confirm that a license produced by an individual at the request of a law
13 enforcement officer is valid.

14 2. If an individual is carrying a concealed weapon and claims to hold a valid
15 license issued under this section but does not have his or her license document, to
16 confirm that an individual holds a valid license under this section.

17 3. If the law enforcement agency is a Wisconsin law enforcement agency, to
18 investigate whether an individual submitted an intentionally false statement under
19 sub. (7) (b) or (15) (b) 2.

20 (b) 1. Notwithstanding s. 19.35, neither a law enforcement agency nor any of
21 its employees may make information regarding an individual that was obtained from
22 the department under this subsection available to the public except in the context
23 of a prosecution for an offense in which the person's status as a licensee is relevant.

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1 2. Neither a law enforcement agency nor any of its employees may store or
2 maintain information regarding an individual that was obtained from the
3 department under this subsection based on the individual's status as a licensee.

4 3. Neither a law enforcement agency nor any of its employees may sort or access
5 information regarding vehicle stops, investigations, civil or criminal offenses, or
6 other activities involving the agency based on the status as licensees of any
7 individuals involved.

8 **(13) LOST OR DESTROYED LICENSE.** If a license document is lost, a licensee no
9 longer has possession of his or her license, or a license document is destroyed,
10 unreadable, or unusable, a licensee may submit to the department a statement
11 requesting a replacement license document, the license document or any portions of
12 the license document if available, and a \$15 replacement fee. The department shall
13 issue a replacement license document to the licensee within 14 days of receiving the
14 statement and fee. If the licensee does not submit the original license document to
15 the department, the department shall terminate the unique approval number of the
16 original request and issue a new unique approval number for the replacement
17 request.

18 **(14) LICENSE REVOCATION AND SUSPENSION.** (a) The department shall revoke a
19 license issued under this section if the department determines that sub. (3) (b), (c),
20 or (d) applies to the licensee.

21 (am) The department shall suspend a license issued under this section if a court
22 has prohibited the licensee from possessing a dangerous weapon under s. 969.02 (3)
23 (c). If the individual whose license was suspended is no longer subject to the
24 prohibition under s. 969.02 (3) (c), sub. (3) (b), (c), or (d) does not apply to the
25 individual, and the suspended license would not have expired under sub. (15) (a) had

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1 it not been suspended, the department shall restore the license within 5 business
2 days of notification that the licensee is no longer subject to the prohibition.

3 (b) 1. If the department suspends or revokes a license issued under this section,
4 the department shall send the individual whose license has been suspended or
5 revoked notice of the suspension or revocation by certified mail within one day after
6 the suspension or revocation.

7 2. If the department suspends or revokes a license under this section, the
8 suspension or revocation takes effect when the individual whose license has been
9 suspended or revoked receives the notice under subd. 1.

10 3. Within 7 days after receiving the notice, the individual whose license has
11 been suspended or revoked shall do one of the following:

12 a. Deliver the license document personally or by certified mail to the
13 department.

14 b. Mail a signed statement to the department stating that he or she no longer
15 has possession of his or her license document and stating the reasons why he or she
16 no longer has possession.

17 **(14g)** DEPARTMENTAL REVIEW. The department shall promulgate rules providing
18 for the review of any action by the department denying an application for, or
19 suspending or revoking, a license under this section.

20 **(14m)** APPEALS TO THE CIRCUIT COURT. (a) An individual aggrieved by any action
21 by the department denying an application for, or suspending or revoking, a license
22 under this section, may appeal directly to the circuit court of the county in which the
23 individual resides without regard to whether the individual has sought review under
24 the process established in sub. (14g).

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1 (b) To begin an appeal under this subsection, the aggrieved individual shall file
2 a petition for review with the clerk of the applicable circuit court within 30 days of
3 receiving notice of denial of an application for a license or of suspension or revocation
4 of a license. The petition shall state the substance of the department's action from
5 which the individual is appealing and the grounds upon which the individual
6 believes the department's action to be improper. The petition may include a copy of
7 any records or documents that are relevant to the grounds upon which the individual
8 believes the department's action to be improper.

9 (c) A copy of the petition shall be served upon the department either personally
10 or by registered or certified mail within 5 days after the individual files his or her
11 petition under par. (b).

12 (d) The department shall file an answer within 15 days after being served with
13 the petition under par. (c). The answer shall include a brief statement of the actions
14 taken by the department. The department shall include with the answer when filed
15 a copy of any documents or records on which the department based its action.

16 (e) The court shall review the petition, the answer, and any records or
17 documents submitted with the petition or the answer. The review under this
18 paragraph shall be conducted by the court without a jury but the court may schedule
19 a hearing and take testimony.

20 (f) The court shall reverse the department's action if the court finds any of the
21 following:

22 1. That the department failed to follow any procedure, or take any action,
23 prescribed under this section.

24 2. That the department erroneously interpreted a provision of law and a correct
25 interpretation compels a different action.

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1 3. That the department's action depends on a finding of fact that is not
2 supported by substantial evidence in the record.

3 4. a. If the appeal is regarding a denial, that the denial was based on factors
4 other than the factors under sub. (3).

5 b. If the appeal is regarding a suspension or revocation, that the suspension or
6 revocation was based on criteria other than those under sub. (14) (a) or (am).

7 (g) 1. The court's decision shall provide whatever relief is appropriate
8 regardless of the original form of the petition.

9 2. If the court reverses the department's action, the court may order the
10 department to pay the aggrieved individual all court costs and reasonable attorney
11 fees.

12 **(15) LICENSE EXPIRATION AND RENEWAL.** (a) Except as provided in par. (e) and
13 sub. (9r) (b), a license issued under this section is valid for a period of 5 years from
14 the date on which the license is issued unless the license is suspended or revoked
15 under sub. (14).

16 (b) The department shall design a notice of expiration form. At least 90 days
17 before the expiration date of a license issued under this section, the department shall
18 mail to the licensee a notice of expiration form and a form for renewing the license.
19 The department shall renew the license if, no later than 90 days after the expiration
20 date of the license, the licensee does all of the following:

21 1. Submits a renewal application on the form provided by the department.

22 2. Submits a statement reporting that the information provided under subd.

23 1. is true and complete to the best of his or her knowledge and that he or she is not
24 disqualified under sub. (3).

25 4. Pays all of the following:

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1 a. A renewal fee in an amount, as determined by the department by rule, that
2 is equal to the cost of renewing the license but does not exceed \$27. The department
3 shall determine the costs of renewing a license by using a 5-year planning period.

4 b. A fee for a background check that is equal to the fee charged under s. 175.35
5 (2i).

6 (c) The department shall conduct a background check of a licensee as provided
7 under sub. (9g) before renewing the licensee's license under par. (b).

8 (d) The department shall issue a renewal license by 1st class mail within 21
9 days of receiving a renewal application, statement, and fees under par. (b).

10 (e) The license of a member of the U.S. armed forces, a reserve unit of the armed
11 forces, or the national guard who is deployed overseas while on active duty may not
12 expire until at least 90 days after the end of the licensee's overseas deployment
13 unless the license is suspended or revoked under sub. (14).

14 **(15m) EMPLOYER RESTRICTIONS.** (a) Except as provided in par. (b), an employer
15 may prohibit a licensee or an out-of-state licensee that it employs from carrying a
16 concealed weapon or a particular type of concealed weapon in the course of the
17 licensee's or out-of-state licensee's employment or during any part of the licensee's
18 or out-of-state licensee's course of employment.

19 (b) An employer may not prohibit a licensee or an out-of-state licensee, as a
20 condition of employment, from carrying a concealed weapon, a particular type of
21 concealed weapon, or ammunition or from storing a weapon, a particular type of
22 weapon, or ammunition in the licensee's or out-of-state licensee's own motor vehicle,
23 regardless of whether the motor vehicle is used in the course of employment or
24 whether the motor vehicle is driven or parked on property used by the employer.

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1 **(16) PROHIBITED ACTIVITY.** (a) Except as provided in par. (am) and s. 943.13 (1m)
2 and (1n), a licensee or an out-of-state licensee may carry a concealed weapon or a
3 weapon that is not concealed anywhere on publicly owned property and in publicly
4 owned buildings in this state.

5 (am) 1. Except as provided in subd. 2., neither a licensee nor an out-of-state
6 licensee may knowingly carry a concealed weapon, a weapon that is not concealed,
7 or a firearm that is not a weapon in any portion of a building that is a police station,
8 sheriff's office, or state patrol station; a prison, jail, house of correction, or secured
9 correctional facility; a county, state, or federal courthouse; or a place beyond a
10 security checkpoint in an airport.

11 2. The prohibitions under subd. 1. do not apply to any of the following:

12 a. A weapon in a vehicle driven or parked in a parking facility located in a
13 building that is used as, or any portion of which is used as, a location under subd. 1.

14 b. A weapon in a courthouse if a judge who is a licensee is carrying the weapon
15 or if another licensee or out-of-state licensee, whom a judge has permitted in writing
16 to carry a weapon, is carrying the weapon.

17 c. A weapon in a courthouse if a district attorney, or an assistant district
18 attorney, who is a licensee is carrying the weapon.

19 **(17) PENALTIES.** (a) Any person who violates sub. (2g) (b) or (c) may be required
20 to forfeit not more than \$25.

21 (ac) Except as provided in sub. (11) (b) 2., any person who violates sub. (11) (b)
22 1. may be required to forfeit \$50.

23 (ag) Any person who violates sub. (2m) (e), (12), or (12g) may be fined not more
24 than \$500 or sentenced to a term of imprisonment of not more than 30 days or both.

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1 (ar) Any law enforcement officer who uses excessive force based solely on an
2 individual's status as a licensee may be fined not more than \$500 or sentenced to a
3 term of imprisonment of not more than 30 days or both. The application of the
4 criminal penalty under this paragraph does not preclude the application of any other
5 civil or criminal remedy.

6 (b) Any person who violates sub. (16) (am) may be fined not more than \$500 or
7 imprisoned for not more than 30 days or both.

8 (e) Any person required under sub. (14) (b) 3. to relinquish or deliver a license
9 document to the department who intentionally violates the requirements of that
10 subdivision shall be fined not more than \$500 and may be imprisoned for not more
11 than 30 days or both.

12 **(18) RECIPROCITY AGREEMENTS.** The department may enter into reciprocity
13 agreements with other states as to matters relating to licenses or other authorization
14 to carry concealed weapons.

15 **(19) STATISTICAL REPORT.** By March 1 of each year, the department shall submit
16 a statistical report to the legislature under s. 13.172 (2) and to the governor that
17 indicates the number of licenses applied for, issued, denied, suspended, and revoked
18 under this section during the previous calendar year. For the licenses denied, the
19 report shall indicate the reasons for the denials and the part of the application
20 process in which the reasons for denial were discovered. For the licenses suspended
21 or revoked, the report shall indicate the reasons for the suspensions and revocations.
22 The department may not include in the report any information that may be used to
23 identify an applicant or a licensee, including, but not limited to, a name, address,
24 birth date, or social security number.

ASSEMBLY BILL 126**SECTION 41**

1 **(21) IMMUNITY.** (a) The department of justice, the department of
2 transportation, and the employees of each department; clerks, as defined in sub. (11)
3 (a) 1. a., and their staff; and court automated information systems, as defined under
4 sub. (11) (a) 1. b., and their employees are immune from liability arising from any act
5 or omission under this section, if done so in good faith.

6 (b) A person that does not prohibit an individual from carrying a concealed
7 weapon on property that the person owns or occupies is immune from any liability
8 arising from its decision.

9 (c) An employer that does not prohibit one or more employees from carrying a
10 concealed weapon under sub. (15m) is immune from any liability arising from its
11 decision.

12 **SECTION 42.** 440.26 (3m) of the statutes is renumbered 440.26 (3m) (intro.) and
13 amended to read:

14 **440.26 (3m) RULES CONCERNING DANGEROUS WEAPONS.** (intro.) The department
15 shall promulgate rules relating to the carrying of dangerous weapons by a person
16 who holds a license or permit issued under this section or who is employed by a
17 person licensed under this section. The rules shall meet the minimum requirements
18 specified in 15 USC 5902 (b). and shall allow all of the following:

19 **SECTION 43.** 440.26 (3m) (a) of the statutes is created to read:

20 **440.26 (3m) (a)** A person who is employed in this state by a public agency as
21 a law enforcement officer to carry a concealed firearm if s. 941.23 (1) (g) 2. to 5. and
22 (2) (b) 1. to 3. applies.

23 **SECTION 44.** 440.26 (3m) (b) of the statutes is created to read:

24 **440.26 (3m) (b)** A qualified out-of-state law enforcement officer, as defined in
25 s. 941.23 (1) (g), to carry a concealed firearm if s. 941.23 (2) (b) 1. to 3. applies.

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1 **SECTION 45.** 440.26 (3m) (c) of the statutes is created to read:

2 440.26 **(3m)** (c) A former officer, as defined in s. 941.23 (1) (c), to carry a
3 concealed firearm if s. 941.23 (2) (c) 1. to 7. applies.

4 **SECTION 46.** 440.26 (3m) (d) of the statutes is created to read:

5 440.26 **(3m)** (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
6 licensee, as defined in s. 175.60 (1) (g), to carry a concealed weapon as permitted
7 under s. 175.60.

8 **SECTION 47.** 813.12 (6) (am) 1. of the statutes is amended to read:

9 813.12 **(6)** (am) 1. If an injunction is issued or extended under sub. (4) or if a
10 tribal injunction is filed under s. 806.247 (3), the clerk of the circuit court shall notify
11 the department of justice of the injunction and shall provide the department of
12 justice with information concerning the period during which the injunction is in
13 effect and information necessary to identify the respondent for purposes of a firearms
14 restrictions record search under s. 175.35 (2g) (c) or a background check under s.
15 175.60 (9g) (a).

16 **SECTION 48.** 813.122 (9) (am) 1. of the statutes is amended to read:

17 813.122 **(9)** (am) 1. If an injunction is issued or extended under sub. (5), the
18 clerk of the circuit court shall notify the department of justice of the injunction and
19 shall provide the department of justice with information concerning the period
20 during which the injunction is in effect and information necessary to identify the
21 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
22 (c) or a background check under s. 175.60 (9g) (a).

23 **SECTION 49.** 813.125 (5r) (a) of the statutes is amended to read:

24 813.125 **(5r)** (a) If an order prohibiting a respondent from possessing a firearm
25 is issued under sub. (4m), the clerk of the circuit court shall notify the department

ASSEMBLY BILL 126**SECTION 49**

1 of justice of the existence of the order prohibiting a respondent from possessing a
2 firearm and shall provide the department of justice with information concerning the
3 period during which the order is in effect and information necessary to identify the
4 respondent for purposes of a firearms restrictions record search under s. 175.35 (2g)
5 (c) or a background check under s. 175.60 (9g) (a).

6 **SECTION 50.** 895.527 (5) (a) of the statutes is amended to read:

7 895.527 (5) (a) Section 167.30 (1), 941.20 (1) (d) or 948.605 or any rule
8 promulgated under those sections regulating or prohibiting the discharge of
9 firearms.

10 **SECTION 51.** 938.396 (2g) (n) of the statutes is amended to read:

11 938.396 (2g) (n) *Firearms restriction record search or background check.* If a
12 juvenile is adjudged delinquent for an act that would be a felony if committed by an
13 adult, the court clerk shall notify the department of justice of that fact. No other
14 information from the juvenile's court records may be disclosed to the department of
15 justice except by order of the court. The department of justice may disclose any
16 information provided under this subsection only as part of a firearms restrictions
17 record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

18 **SECTION 52.** 939.22 (10) of the statutes is amended to read:

19 939.22 (10) "Dangerous weapon" means any firearm, whether loaded or
20 unloaded; any device designed as a weapon and capable of producing death or great
21 bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or
22 mouth of another person to impede, partially or completely, breathing or circulation
23 of blood; any electric weapon, as defined in s. 941.295 (4) (1c) (a); or any other device
24 or instrumentality which, in the manner it is used or intended to be used, is
25 calculated or likely to produce death or great bodily harm.

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1 **SECTION 53.** 941.23 of the statutes is renumbered 941.23 (2) (intro.) and
2 amended to read:

3 941.23 (2) (intro.) Any person ~~except a peace officer, other than one of the~~
4 following, who goes armed with carries a concealed and dangerous weapon is guilty
5 of a Class A misdemeanor. ~~Notwithstanding:~~

6 (a) A peace officer, but notwithstanding s. 939.22, for purposes of this section
7 paragraph, peace officer does not include a commission warden who is not a
8 state-certified commission warden.

9 **SECTION 54.** 941.23 (1) of the statutes is created to read:

10 941.23 (1) In this section:

11 (ag) “Carry” has the meaning given in s. 175.60 (1) (ag).

12 (ar) “Destructive device” has the meaning given in 18 USC 921 (a) (4).

13 (b) “Firearm silencer” has the meaning given in s. 941.298 (1).

14 (c) “Former officer” means a person who served as a law enforcement officer
15 with a law enforcement agency before separating from law enforcement service.

16 (d) “Law enforcement agency” has the meaning given in s. 175.49 (1) (f).

17 (e) “Law enforcement officer” has the meaning given in s. 175.49 (1) (g).

18 (f) “Machine gun” has the meaning given in s. 941.27 (1).

19 (g) “Qualified out-of-state law enforcement officer” means a law enforcement
20 officer to whom all of the following apply:

21 1. The person is employed by a state or local government agency in another
22 state.

23 2. The agency has authorized the person to carry a firearm.

24 3. The person is not the subject of any disciplinary action by the agency that
25 could result in the suspension or loss of the person’s law enforcement authority.

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1 4. The person meets all standards established by the agency to qualify the
2 person on a regular basis to use a firearm.

3 5. The person is not prohibited under federal law from possessing a firearm.

4 **SECTION 55.** 941.23 (2) (b) of the statutes is created to read:

5 941.23 (2) (b) A qualified out-of-state law enforcement officer. This paragraph
6 applies only if all of the following apply:

7 1. The weapon is a firearm but is not a machine gun or a destructive device.

8 2. The officer is not carrying a firearm silencer.

9 3. The officer is not under the influence of an intoxicant.

10 **SECTION 56.** 941.23 (2) (c) of the statutes is created to read:

11 941.23 (2) (c) A former officer. This paragraph applies only if all of the following
12 apply:

13 1. The former officer has been issued a photographic identification document
14 described in sub. (3) (b) 1. or both of the following:

15 a. A photographic identification document described in sub. (3) (b) 2. (intro.).

16 b. An identification card described in sub. (3) (b) 2. a., if the former officer
17 resides in this state, or a certification described in sub. (3) (b) 2. b., if the former officer
18 resides in another state.

19 2. The weapon is a firearm that is of the type described in a photographic
20 identification document described in subd. 1. (intro.) or a card or certification
21 described in subd. 1. b.

22 3. Within the preceding 12 months, the former officer met the standards of the
23 state in which he or she resides for training and qualification for active duty law
24 enforcement officers to carry firearms.

25 4. The weapon is not a machine gun or a destructive device.

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1 5. The former officer is not carrying a firearm silencer.

2 6. The former officer is not under the influence of an intoxicant.

3 7. The former officer is not prohibited under federal law from possessing a
4 firearm.

5 **SECTION 57.** 941.23 (2) (d) of the statutes is created to read:

6 941.23 (2) (d) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
7 licensee, as defined in s. 175.60 (1) (g), if the dangerous weapon is a weapon, as
8 defined under s. 175.60 (1) (j). An individual formerly licensed under s. 175.60 whose
9 license has been suspended or revoked under s. 175.60 (14) may not assert his or her
10 refusal to accept a notice of revocation or suspension mailed under s. 175.60 (14) (b)
11 1. as a defense to prosecution under this subsection, regardless of whether the person
12 has complied with s. 175.60 (11) (b) 1.

13 **SECTION 58.** 941.23 (2) (e) of the statutes is created to read:

14 941.23 (2) (e) An individual who carries a concealed and dangerous weapon,
15 as defined in s. 175.60 (1) (j), in his or her own dwelling or place of business or on land
16 that he or she owns, leases, or legally occupies.

17 **SECTION 59.** 941.23 (3) of the statutes is created to read:

18 941.23 (3) (a) A qualified out-of-state law enforcement officer shall, while
19 carrying a concealed firearm, also have with him or her an identification card that
20 contains his or her photograph and that was issued by the law enforcement agency
21 by which he or she is employed.

22 (b) A former officer shall, while carrying a concealed firearm, also have with
23 him or her one of the following:

24 1. A photographic identification document issued by the law enforcement
25 agency from which the former officer separated that indicates that, within the 12

ASSEMBLY BILL 126**SECTION 59**

1 months preceding the date on which the former officer is carrying the concealed
2 firearm, he or she was tested or otherwise found by that law enforcement agency to
3 meet the standards for qualification in firearms training that that law enforcement
4 agency sets for active duty law enforcement officers to carry a firearm of the same
5 type as the firearm that the former officer is carrying.

6 2. A photographic identification document issued by the law enforcement
7 agency from which the former officer separated and one of the following:

8 a. A certification card issued under s. 175.49 (2), if the former officer resides
9 in this state.

10 b. A certification issued by the state in which the former officer resides, if the
11 former officer resides in another state, that indicates that, within the 12 months
12 preceding the date on which the former officer is carrying the concealed firearm, he
13 or she has been found by the state in which he or she resides, or by a certified firearms
14 instructor if such an instructor is qualified to conduct a firearms qualification test
15 for law enforcement officers in that state, to meet the standards for qualification in
16 firearms training for law enforcement officers to carry a firearm of the type he or she
17 is carrying, that are established by his or her state of residence or, if that state does
18 not establish standards, by any law enforcement agency in his or her state of
19 residence.

20 (c) A person who violates this subsection may be required to forfeit not more
21 than \$25.

22 (d) This subsection does not apply to a licensee, as defined in s. 175.60 (1) (d),
23 or an out-of-state licensee, as defined in s. 175.60 (1) (g).

24 **SECTION 60.** 941.235 (2) of the statutes is renumbered 941.235 (2) (intro.) and
25 amended to read:

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1 941.235 (2) (intro.) This section does not apply to peace any of the following:

2 (a) Peace officers or armed forces or military personnel who go armed in the line
3 of duty or to any person duly authorized by the chief of police of any city, village or
4 town, the chief of the capitol police, or the sheriff of any county to possess a firearm
5 in any building under sub. (1). Notwithstanding s. 939.22 (22), for purposes of this
6 subsection paragraph, peace officer does not include a commission warden who is not
7 a state-certified commission warden.

8 **SECTION 61.** 941.235 (2) (c) of the statutes is created to read:

9 941.235 (2) (c) A qualified out-of-state law enforcement officer, as defined in
10 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

11 **SECTION 62.** 941.235 (2) (d) of the statutes is created to read:

12 941.235 (2) (d) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
13 (2) (c) 1. to 7. applies.

14 **SECTION 63.** 941.235 (2) (e) of the statutes is created to read:

15 941.235 (2) (e) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
16 licensee, as defined in s. 175.60 (1) (g).

17 **SECTION 64.** 941.237 (3) (cr) of the statutes is created to read:

18 941.237 (3) (cr) A qualified out-of-state law enforcement officer, as defined in
19 s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

20 **SECTION 65.** 941.237 (3) (ct) of the statutes is created to read:

21 941.237 (3) (ct) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23
22 (2) (c) 1. to 7. applies.

23 **SECTION 66.** 941.237 (3) (cx) of the statutes is created to read:

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1 941.237 (3) (cx) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state
2 licensee, as defined in s. 175.60 (1) (g), if the licensee or out-of-state licensee is not
3 consuming alcohol on the premises.

4 **SECTION 67.** 941.237 (4) of the statutes is repealed.

5 **SECTION 68.** 941.295 (1) of the statutes is renumbered 941.295 (1m).

6 **SECTION 69.** 941.295 (1c) (b) and (c) of the statutes are created to read:

7 941.295 (1c) (b) “Licensee” has the meaning given in s. 175.60 (1) (d).

8 (c) “Out-of-state licensee” has the meaning given in s. 175.60 (1) (g).

9 **SECTION 70.** 941.295 (2) (intro.) of the statutes is amended to read:

10 941.295 (2) (intro.) Subsection ~~(1)~~ (1m) does not apply to any of the following:

11 **SECTION 71.** 941.295 (2) (d) of the statutes is renumbered 941.295 (2) (d) (intro.)

12 and amended to read:

13 941.295 (2) (d) (intro.) Any manufacturer or seller whose of electric weapons
14 are used in this state solely by persons, unless the manufacturer or seller engages
15 in the conduct described in sub. (1m) with the intent to provide an electric weapon
16 to someone other than one of the following:

17 1. A person specified in pars. (a) to (c), a licensee, or an out-of-state licensee.

18 **SECTION 72.** 941.295 (2) (d) 2. of the statutes is created to read:

19 941.295 (2) (d) 2. A person for use in his or her dwelling or place of business
20 or on land that he or she owns, leases, or legally occupies.

21 **SECTION 73.** 941.295 (2g) of the statutes is created to read:

22 941.295 (2g) The prohibition in sub. (1m) on possessing or going armed with
23 an electric weapon does not apply to any of the following:

24 (a) A licensee or an out-of-state licensee.

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1 (b) An individual who goes armed with an electric weapon in his or her own
2 dwelling or place of business or on land that he or she owns, leases, or legally
3 occupies.

4 **SECTION 74.** 941.295 (2r) of the statutes is created to read:

5 941.295 (2r) The prohibition in sub. (1m) on transporting an electric weapon
6 does not apply to any of the following:

7 (a) A licensee or an out-of-state licensee.

8 (b) An individual who is not a licensee or an out-of-state licensee who
9 transports an electric weapon if the electric weapon is enclosed within a carrying
10 case.

11 **SECTION 75.** 941.295 (4) of the statutes is renumbered 941.295 (1c) (intro.) and
12 amended to read:

13 941.295 (1c) (intro.) In this section, ~~“electric;~~

14 (a) “Electric weapon” means any device which is designed, redesigned, used or
15 intended to be used, offensively or defensively, to immobilize or incapacitate persons
16 by the use of electric current.

17 **SECTION 76.** 943.13 (1e) (a) of the statutes is renumbered 943.13 (1e) (ar).

18 **SECTION 77.** 943.13 (1e) (aL) of the statutes is created to read:

19 943.13 (1e) (aL) “Carry” has the meaning given in s. 175.60 (1) (ag).

20 **SECTION 78.** 943.13 (1e) (bm) of the statutes is created to read:

21 943.13 (1e) (bm) “Licensee” means a licensee, as defined in s. 176.60 (1) (d), or
22 an out-of-state licensee, as defined in s. 175.60 (1) (g).

23 **SECTION 79.** 943.13 (1e) (cm) of the statutes is created to read:

24 943.13 (1e) (cm) “Nonresidential building” includes any privately or publicly
25 owned building on the grounds of a university or college.

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1 **SECTION 80.** 943.13 (1e) (g) of the statutes is created to read:

2 943.13 (1e) (g) “Out-of-state licensee” has the meaning given in s. 175.60 (1)
3 (g).

4 **SECTION 81.** 943.13 (1m) (b) of the statutes is amended to read:

5 943.13 (1m) (b) Enters or remains on any land of another after having been
6 notified by the owner or occupant not to enter or remain on the premises. This
7 paragraph does not apply to a licensee or out-of-state licensee if the owner’s or
8 occupant’s intent is to prevent the licensee or out-of-state licensee from carrying a
9 firearm on the owner’s or occupant’s land.

10 **SECTION 82.** 943.13 (1m) (c) of the statutes is created to read:

11 943.13 (1m) (c) 1. While carrying a firearm, enters or remains at a residence
12 that the actor does not own or occupy after the owner of the residence, if he or she
13 has not leased it to another person, or the occupant of the residence has notified the
14 actor not to enter or remain at the residence while carrying a firearm or with that
15 type of firearm. In this subdivision, “residence,” with respect to a single-family
16 residence, includes the residence building and the parcel of land upon which the
17 residence building is located, and “residence,” with respect to a residence that is not
18 a single-family residence, does not include any common area of the building in which
19 the residence is located or any common areas of the rest of the parcel of land upon
20 which the residence building is located.

21 2. While carrying a firearm, enters or remains in any part of a nonresidential
22 building that the actor does not own or occupy after the owner of the building, if that
23 part of the building has not been leased to another person, or the occupant of that
24 part of the building has notified the actor not to enter or remain in that part of the
25 building while carrying a firearm or with that type of firearm. This subdivision does

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1 not apply to a part of a building occupied by the state or by a local governmental unit
2 or, if the firearm is in a vehicle driven or parked in the parking facility, to any part
3 of a building used as a parking facility.

4 **SECTION 83.** 943.13 (1n) of the statutes is created to read:

5 943.13 (1n) A person is guilty of a Class C misdemeanor if he or she, while
6 carrying a firearm, enters or remains in any part of a building that is owned,
7 occupied, or controlled by the state or any local governmental unit, excluding any
8 building or portion of a building under s. 175.60 (16) (am) 1., if the state or local
9 governmental unit has notified the actor not to enter or remain in the building while
10 carrying a firearm or with that type of firearm. This subsection does not apply to a
11 person who leases residential or business premises in the building or, if the firearm
12 is in a vehicle driven or parked in the parking facility, to any part of the building used
13 as a parking facility.

14 **SECTION 84.** 943.13 (2) of the statutes is renumbered 943.13 (2) (am), and
15 943.13 (2) (am) (intro.) and 1., as renumbered, are amended to read:

16 943.13 (2) (am) (intro.) A person has received notice from the owner or occupant
17 within the meaning of sub. (1m) (b), (e) or (f) if he or she has been notified personally,
18 either orally or in writing, or if the land is posted. Land is considered to be posted
19 under this ~~subsection~~ paragraph under either of the following procedures:

20 1. If a sign at least 11 inches square is placed in at least 2 conspicuous places
21 for every 40 acres to be protected. The sign must ~~carry~~ provide an appropriate notice
22 and the name of the person giving the notice followed by the word "owner" if the
23 person giving the notice is the holder of legal title to the land and by the word
24 "occupant" if the person giving the notice is not the holder of legal title but is a lawful
25 occupant of the land. Proof that appropriate signs as provided in this ~~paragraph~~

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1 subdivision were erected or in existence upon the premises to be protected prior to
2 the event complained of shall be prima facie proof that the premises to be protected
3 were posted as provided in this ~~paragraph~~ subdivision.

4 **SECTION 85.** 943.13 (2) (bm) of the statutes is created to read:

5 943.13 (2) (bm) 1. In this paragraph, “sign” means a sign that states a
6 restriction imposed under subd. 2. that is at least 8.5 inches by 11 inches and colored
7 orange as described in s. 29.301 (2).

8 2. For the purposes of subs. (1m) (c) 2. and (1n), an owner or occupant of a part
9 of a nonresidential building or the state or a local governmental unit has notified an
10 individual not to enter or remain in that part of the building while carrying a firearm
11 or with a particular type of firearm if the owner, occupant, state, or local
12 governmental unit has posted a sign that is located in a prominent place near all of
13 the entrances to the part of the building to which the restriction applies and any
14 individual entering the building can be reasonably expected to see the sign.

15 **SECTION 86.** 943.13 (3) of the statutes is amended to read:

16 943.13 (3) Whoever erects on the land of another signs which are the same as
17 or similar to those described in sub. (2) (am) without obtaining the express consent
18 of the lawful occupant of or holder of legal title to such land is subject to a Class C
19 forfeiture.

20 **SECTION 87.** 946.71 of the statutes is created to read:

21 **946.71 Unlawful use of license for carrying concealed weapons. (1)** In
22 this section, “license” means a license issued under s. 175.60 (2) or (9r).

23 (2) Whoever does any of the following is guilty of a Class A misdemeanor:

24 (a) Intentionally represents as valid any revoked, suspended, fictitious, or
25 fraudulently altered license.

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1 (b) If the actor holds a license, intentionally sells or lends the license to any
2 other individual or knowingly permits another individual to use the license.

3 (c) Intentionally represents as one's own any license not issued to him or her.

4 (d) If the actor holds a license, intentionally permits any unlawful use of that
5 license.

6 (e) Intentionally reproduces by any means a copy of a license for a purpose that
7 is prohibited under this subsection.

8 (f) Intentionally defaces or intentionally alters a license.

9 **SECTION 88.** 947.01 of the statutes is renumbered 947.01 (1).

10 **SECTION 89.** 947.01 (2) of the statutes is created to read:

11 947.01 (2) A person is not in violation of, and may not be charged with a
12 violation of, sub. (1) for loading, carrying, or going armed with a firearm, without
13 regard to whether the firearm is loaded or is concealed or openly carried.

14 **SECTION 90.** 947.011 (2) (a) 1. of the statutes is amended to read:

15 947.011 (2) (a) 1. Engage in conduct that is prohibited under s. 947.01 (1) within
16 500 feet of any entrance to a facility being used for the service with the intent to
17 disrupt the service.

18 **SECTION 91.** 947.011 (2) (c) 1. of the statutes is amended to read:

19 947.011 (2) (c) 1. Engage in conduct that is prohibited under s. 947.01 (1) within
20 500 feet of any entrance to a facility being used for the service.

21 **SECTION 92.** 947.011 (2) (d) of the statutes is amended to read:

22 947.011 (2) (d) No person may impede vehicles that are part of a funeral
23 procession if the person's conduct violates s. 947.01 (1).

24 **SECTION 93.** 948.60 (1) of the statutes is amended to read:

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1 948.60 (1) In this section, “dangerous weapon” means any firearm, loaded or
2 unloaded; any electric weapon, as defined in s. 941.295 (4) ~~(1c)~~ (a); metallic knuckles
3 or knuckles of any substance which could be put to the same use with the same or
4 similar effect as metallic knuckles; a nunchaku or any similar weapon consisting of
5 2 sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire
6 or leather; a cestus or similar material weighted with metal or other substance and
7 worn on the hand; a shuriken or any similar pointed star-like object intended to
8 injure a person when thrown; or a manrikigusari or similar length of chain having
9 weighted ends.

10 **SECTION 94.** 948.605 (1) (a) and (am) of the statutes are repealed.

11 **SECTION 95.** 948.605 (2) (b) (intro.) of the statutes is amended to read:

12 948.605 (2) (b) (intro.) Paragraph (a) does not apply to the possession of a
13 firearm by any of the following:

14 **SECTION 96.** 948.605 (2) (b) 1. to 5. and 7. of the statutes are repealed.

15 **SECTION 97.** 948.605 (2) (b) 1m. and 1r. of the statutes are created to read:

16 948.605 (2) (b) 1m. A person who possesses the firearm in accordance with 18
17 USC 922 (q) (2) (B) (i), (iii), (iv), (v), (vi), or (vii).

18 1r. Except if the person is in or on the grounds of a school, a person who
19 possesses the firearm in accordance with 18 USC 922 (q) (2) (B) (ii). For purposes of
20 18 USC 922 (q) (2) (B) (ii), an out-of-state licensee, as defined in s. 175.60 (1) (g), is
21 fully licensed under the laws of this state.

22 **SECTION 98.** 948.605 (2) (b) 6. of the statutes is renumbered 948.605 (2) (b) 2m.
23 and amended to read:

24 948.605 (2) (b) 2m. ~~By a law enforcement officer or~~ A state-certified
25 commission warden acting in his or her official capacity; ~~or~~.

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1 **SECTION 99.** 948.605 (2) (b) 8. of the statutes is renumbered 948.605 (2) (b) 3m.
2 and amended to read:

3 948.605 (2) (b) 3m. ~~By a~~ A person who is legally hunting in a school forest if
4 the school board has decided that hunting may be allowed in the school forest under
5 s. 120.13 (38).

6 **SECTION 100.** 968.255 (1) (a) 2. of the statutes is amended to read:

7 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30 (1), 940.19,
8 941.20 (1), 941.23, 941.237, 941.24, 948.60, or 948.61.

9 **SECTION 101.** 971.37 (1m) (a) 2. of the statutes is amended to read:

10 971.37 **(1m)** (a) 2. An adult accused of or charged with a criminal violation of
11 s. 940.19, 940.20 (1m), 940.201, 940.225, 940.23, 940.285, 940.30, 940.42, 940.43,
12 940.44, 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49,
13 947.01 (1), 947.012 or 947.0125 and the conduct constituting the violation involved
14 an act by the adult person against his or her spouse or former spouse, against an
15 adult with whom the adult person resides or formerly resided or against an adult
16 with whom the adult person has created a child.

17 **SECTION 102.** 973.055 (1) (a) 1. of the statutes is amended to read:

18 973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified
19 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,
20 940.225, 940.23, 940.235, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44,
21 940.45, 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1),
22 947.012 or 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20,
23 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01 (1), 947.012 or 947.0125; and

24 **SECTION 103. Nonstatutory provisions.**

Conceal Carry SB-90/AB-126

- Permits a person to go armed with a concealed and dangerous weapon in the home, place of business, or land that is owned, leased or legally occupied by a person.
- Concealed weapon is defined as:
 - A hand gun
 - An electric weapon, a knife other than a switchblade
 - A billy club
- A person licensed to carry a concealed weapon is prohibited from carrying said weapon in the following locations:
 - Police Station
 - Sheriff's office
 - State patrol station
 - Prison or jail
 - Courthouse
 - Beyond airport security checkpoint
 - School grounds
- A business or home owner may prohibit a licensee from carrying a concealed weapon into their business or home
- An employer may prohibit an employee from carrying a concealed weapon in the course of their employment
- The state or any municipality may prohibit a licensee from carrying a firearm into a building that is owned, occupied, or controlled by the government unit
- DOJ will issue and renew conceal carry licenses under the following circumstances
 - Application must be at least 21 years old and a Wisconsin resident
 - Applicant must not be prohibited from possessing a firearm under federal or state law
 - Applicant must pass a background check to determine if eligible for a license
 - License will be valid for 5 years
 - Each circuit court must notify DOJ of any court proceedings that would result in a suspension or revocation of a license if the subject of the proceeding possesses a license. If the subject of the proceeding is no longer eligible for a license then DOJ must revoke the license or if it is a misdemeanor charge, the DOJ must suspend the license if the subject is ordered not to possess a firearm
 - An individual may petition a court immediately for a 30 license if it is determined that immediate licensure is warranted to protect the individual from death or great bodily harm
 - Provides an appeals process for a person whose application for a license is denied, suspended, or revoked
 - DOJ must keep a list of licensees, but they may only provide information from that list to law enforcement agencies and only in certain circumstances
 - Fees for the license will include a \$13 background check fee and a \$52 fee to cover the cost to DOJ of administering the license. A renewal fee of \$27 will be charged
- Immunity is granted under the bill to various government agencies, businesses, individuals, and employers that prohibit conceal carry.
- Permits and licenses from other states to be transferrable to Wisconsin if the license or permit included a background check
- Penalties
 - Failure to carry a conceal carry license or photographic identification, or to display either upon request of law enforcement while carrying a concealed weapon. \$25

- Failure to notify DOJ of a change in address for a second or subsequent time or for an individual whose license is suspended or revoked. \$50
- Carrying a concealed weapon in a prohibited location.
 - Fine of not more than \$500, imprisonment for not more than 30 days, or both
- Failure to relinquish a license to DOJ after revocation.
 - Fine of not more than \$500, imprisonment for not more than 30 days, or both
- Making a false statement in an application for a license.
 - Charge of false swearing, a Class H felony
- Prohibited from intentionally representing that an invalid license is valid, from selling, lending, or allowing another individual to use his license, from representing that a license belongs to the individual if it has not been issued to him, from permitting unlawful use of his license, from reproducing a license for unlawful purposes, from altering a license.
 - Misdemeanor and fine of not more than \$10,000 or imprisonment for not more than 9 months, or both.
- Requires DOJ and other state and local law enforcement agencies in Wisconsin to enable qualified retired law enforcement officers to carry concealed firearms under federal law.
 - Agencies must issue certification cards.
- Active duty officers would also be able to carry concealed weapons under federal law
- Specifies that an individual is not violating disorderly conduct law by loading, carrying or going armed with the firearm whether it is loaded, concealed or openly carried
- Eliminates requirements that a bow or crossbow be unstrung and encased in order to be carried in most vehicles. Now, the bow or crossbow must only not be armed with a bolt or an arrow
- Makes restrictions against carrying a firearm in a vehicle, other than a snowmobile, all terrain vehicle, or noncommercial airplane, not apply to a qualified active duty or retired law enforcement officer or to a licensee.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2007/1
CMH&RNK:kjf&wlj:rs

2011 SENATE BILL 93

May 10, 2011 – Introduced by Senators GALLOWAY, GROTHMAN, KEDZIE, LAZICH, LEIBHAM, MOULTON, HOLPERIN, VUKMIR and ZIPPERER, cosponsored by Representatives MURSAU, KLEEFISCH, AUGUST, FARROW, KAPENGA, KERKMAN, KESTELL, KNILANS, KNUDSON, KOOYENGA, KRAMER, KRUG, KUGLITSCH, T. LARSON, LEMAHIEU, MURTHA, NASS, RIVARD, SEVERSON, STRACHOTA, TAUCHEN, THIESFELDT and WYNN. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **AN ACT to repeal** 23.33 (3) (e), 165.81 (2), 167.31 (1) (b), 167.31 (1) (g), 167.31 (2)
2 (a), 167.31 (2) (b), 167.31 (4) (am) 2. and 3., 167.31 (4) (bg), (bn) and (bt), 167.31
3 (4) (cm) and (d), 941.23, 941.235, 941.237, 941.295, 948.605 (1) (a) and (am),
4 948.605 (2) (b) 1. to 5. and 7. and 973.137 (1); **to renumber** 29.091, 29.621 (4),
5 167.30, 943.13 (1e) (a) and 947.01; **to renumber and amend** 167.31 (4) (am)
6 1. and 943.13 (2); **to amend** 29.089 (2), 29.314 (3) (a), 29.314 (4) (a), 48.685 (2)
7 (bb), 50.065 (2) (bb), 59.54 (6), 66.0409 (3) (b), 110.07 (1) (a) 1., 110.07 (1) (a) 3.,
8 110.07 (1) (b), 167.31 (2) (c), 167.31 (2) (d), 167.31 (2) (e), 167.31 (3) (title), 167.31
9 (3) (a), 167.31 (3) (b), 167.31 (4) (a), 167.31 (4) (b), 167.31 (4) (c), 167.31 (4) (f),
10 345.11 (1s), 345.20 (2) (f), 895.527 (5) (a), 938.34 (14q), 938.78 (3), 939.22 (10),
11 939.632 (1) (e) 3., 941.299 (1) (a), 943.13 (1m) (b), 943.13 (3), 947.011 (2) (a) 1.,
12 947.011 (2) (c) 1., 947.011 (2) (d), 948.60 (1), 948.605 (2) (title), 948.605 (2) (a),
13 948.605 (2) (b) (intro.), 948.605 (2) (b) 6., 968.255 (1) (a) 2., 971.37 (1m) (a) 2. and
14 973.055 (1) (a) 1.; and **to create** 29.091 (1), 29.314 (1) (ah), 29.621 (4) (a),

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1 66.0409 (6), 167.30 (2), 167.31 (4) (at), 939.22 (11m), 941.232, 943.13 (1e) (aL),
2 943.13 (1e) (cm), 943.13 (1m) (c), 943.13 (2) (bm), 943.13 (6), 947.01 (2) and
3 948.605 (2) (b) 1m. of the statutes; **relating to:** going armed with weapons,
4 possessing or transporting a firearm, bow, or crossbow under certain
5 circumstances, disorderly conduct limitations, and electric weapons.

Analysis by the Legislative Reference Bureau

In general, under current Wisconsin law, no person may go armed with a concealed and dangerous weapon. The “going armed with” language includes cases in which a person is carrying a concealed weapon but has not gone and is not going anywhere with it and cases in which a weapon is readily accessible to a person in a car. A person who violates the prohibition may be fined not more than \$10,000 or imprisoned for not more than nine months or both. This prohibition has many exceptions. First, Wisconsin Statutes expressly exempt law enforcement officers. In addition, under *State v. Hamdan*, 2003 WI 113, 264 Wis. 2d 433, this prohibition is unconstitutional if applied to a person carrying a concealed weapon at his or her own business when: 1) the person’s interest in carrying a concealed weapon substantially outweighs the state’s interest in enforcing the concealed weapons law; 2) the person has no other reasonable means to keep and handle the weapon; and 3) the person is not motivated by an unlawful purpose in concealing it. In *Hamdan*, the court also indicated that the constitutional right to keep and bear arms for security allows a person to carry a concealed weapon under certain circumstances in his or her own home. Finally, under federal law, qualified law enforcement officers and qualified retired law enforcement officers may carry concealed firearms that have been shipped or transported in interstate or foreign commerce, regardless of any state prohibition. This bill eliminates the prohibition against going armed with a concealed and dangerous weapon.

Current law also prohibits, with certain exceptions, going armed with or possessing a firearm in a public building, tavern, state park, or wildlife refuge or within 1,000 feet of the grounds of a school. This bill eliminates the prohibitions against going armed with or possessing a firearm in a public building or tavern but this bill adds general prohibitions against carrying weapons into a police station, sheriff’s office, or state patrol station; a prison, jail, house of correction, or secured correctional facility; a courthouse; a place beyond a security checkpoint in an airport; and a building owned or leased by the state or any political subdivision of the state if the building provides electronic screening for weapons at all public entrances to the building and provides locked storage for weapons on the premises while the person carrying the weapon is in the building. This bill applies the prohibition against going armed with or possessing a firearm in a state park or a wildlife refuge only to firearms that are not handguns. This bill also limits the prohibition against going

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armed with or possessing a firearm within 1,000 feet of the grounds of a school only to the grounds of a school. Any federal prohibitions against guns in school zones, however, still apply.

In addition, current law prohibits, with certain exceptions, carrying a firearm, bow, or crossbow in most vehicles unless the firearm is unloaded and encased or the bow or crossbow is unstrung and encased. This bill generally eliminates the requirements that the firearm be unloaded and encased and that the bow or crossbow be unstrung and encased in order to be carried in a vehicle. The bill retains the requirement that a firearm be unloaded and encased in order to be carried on a commercial aircraft.

This bill specifies that an individual does not violate the prohibition against disorderly conduct, or does not violate any local ordinance prohibiting disorderly conduct, by loading, carrying, or going armed with a firearm without regard to whether the firearm is loaded or whether the firearm is concealed or openly carried.

This bill also repeals the current law prohibition against possessing electric weapons.

For further information see the *state and local* 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 (3) (e) of the statutes is repealed.

2 **SECTION 2.** 29.089 (2) of the statutes is amended to read:

3 29.089 (2) Except as provided in sub. (3) and except if the firearm is a handgun
4 as defined in s. 175.35 (1) (b), no person may have in his or her possession or under
5 his or her control a firearm on land located in state parks or state fish hatcheries
6 unless the firearm is unloaded and enclosed within a carrying case.

7 **SECTION 3.** 29.091 of the statutes is renumbered 29.091 (2).

8 **SECTION 4.** 29.091 (1) of the statutes is created to read:

9 29.091 (1) In this section:

10 (a) "Firearm" does not include a handgun.

11 (b) "Gun" does not include a handgun.

12 (c) "Handgun" has the meaning given in s. 175.35 (1) (b).

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1 **SECTION 5.** 29.314 (1) (ah) of the statutes is created to read:

2 29.314 (1) (ah) “Handgun” has the meaning given in s. 175.35 (1) (b).

3 **SECTION 6.** 29.314 (3) (a) of the statutes is amended to read:

4 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a
5 light for shining deer, elk, or bear while the person is hunting deer, elk, or bear or in
6 possession of a firearm that is not a handgun, bow and arrow, or crossbow.

7 **SECTION 7.** 29.314 (4) (a) of the statutes is amended to read:

8 29.314 (4) (a) *Prohibition.* No person may use or possess with intent to use a
9 light for shining wild animals while the person is hunting or in possession of a
10 firearm that is not a handgun, bow and arrow, or crossbow.

11 **SECTION 8.** 29.621 (4) of the statutes is renumbered 29.621 (4) (b).

12 **SECTION 9.** 29.621 (4) (a) of the statutes is created to read:

13 29.621 (4) (a) In this subsection:

14 1. “Firearm” does not include a handgun.

15 2. “Gun” does not include a handgun.

16 3. “Handgun” has the meaning given in s. 175.35 (1) (b).

17 **SECTION 10.** 48.685 (2) (bb) of the statutes is amended to read:

18 48.685 (2) (bb) If information obtained under par. (am) or (b) 1. indicates a
19 charge of a serious crime, but does not completely and clearly indicate the final
20 disposition of the charge, the department, county department, agency contracted
21 with under s. 48.651 (2), child welfare agency, school board, or entity shall make
22 every reasonable effort to contact the clerk of courts to determine the final disposition
23 of the charge. If a background information form under sub. (6) (a) or (am) indicates
24 a charge or a conviction of a serious crime, but information obtained under par. (am)
25 or (b) 1. does not indicate such a charge or conviction, the department, county

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1 department, agency contracted with under s. 48.651 (2), child welfare agency, school
2 board, or entity shall make every reasonable effort to contact the clerk of courts to
3 obtain a copy of the criminal complaint and the final disposition of the complaint.
4 If information obtained under par. (am) or (b) 1., a background information form
5 under sub. (6) (a) or (am), or any other information indicates a conviction of a
6 violation of s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01 (1), or 947.013
7 obtained not more than 5 years before the date on which that information was
8 obtained, the department, county department, agency contracted with under s.
9 48.651 (2), child welfare agency, school board, or entity shall make every reasonable
10 effort to contact the clerk of courts to obtain a copy of the criminal complaint and
11 judgment of conviction relating to that violation.

12 **SECTION 11.** 50.065 (2) (bb) of the statutes is amended to read:

13 50.065 (2) (bb) If information obtained under par. (am) or (b) indicates a charge
14 of a serious crime, but does not completely and clearly indicate the final disposition
15 of the charge, the department or entity shall make every reasonable effort to contact
16 the clerk of courts to determine the final disposition of the charge. If a background
17 information form under sub. (6) (a) or (am), or any disclosure made pursuant to a
18 disclosure policy described under sub. (6) (am), indicates a charge or a conviction of
19 a serious crime, but information obtained under par. (am) or (b) does not indicate
20 such a charge or conviction, the department or entity shall make every reasonable
21 effort to contact the clerk of courts to obtain a copy of the criminal complaint and the
22 final disposition of the complaint. If information obtained under par. (am) or (b), a
23 background information form under sub. (6) (a) or (am), any disclosure made
24 pursuant to a disclosure policy described under sub. (6) (am), or any other
25 information indicates a conviction of a violation of s. 940.19 (1), 940.195, 940.20,

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1 941.30, 942.08, 947.01 (1), or 947.013 obtained not more than 5 years before the date
2 on which that information was obtained, the department or entity shall make every
3 reasonable effort to contact the clerk of courts to obtain a copy of the criminal
4 complaint and judgment of conviction relating to that violation.

5 **SECTION 12.** 59.54 (6) of the statutes is amended to read:

6 59.54 **(6)** PEACE AND ORDER. The board may enact and enforce ordinances to
7 preserve the public peace and good order within the county including, but not limited
8 by enumeration, ordinances prohibiting conduct that is the same as or similar to
9 conduct that is prohibited by ss. 947.01 (1) and 947.02, and provide a forfeiture for
10 a violation of the ordinances.

11 **SECTION 13.** 66.0409 (3) (b) of the statutes is amended to read:

12 66.0409 **(3)** (b) Nothing in this section prohibits a city, village or town that is
13 authorized to exercise village powers under s. 60.22 (3) from enacting an ordinance
14 or adopting a resolution that restricts the discharge of a firearm. Any ordinance or
15 resolution that restricts the discharge of a firearm does not apply and may not be
16 enforced if the actor's conduct is justified or, had it been subject to a criminal penalty,
17 would have been subject to a defense described in s. 939.45.

18 **SECTION 14.** 66.0409 (6) of the statutes is created to read:

19 66.0409 **(6)** No person may be in violation of, or be charged with a violation of,
20 an ordinance of a political subdivision relating to disorderly conduct or other
21 inappropriate behavior for loading, carrying, or going armed with a firearm, without
22 regard to whether the firearm is loaded or is concealed or openly carried. Any
23 ordinance in violation of this subsection does not apply and may not be enforced.

24 **SECTION 15.** 110.07 (1) (a) 1. of the statutes is 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, 125.07 (4) (b), 125.085 (3) (b), 167.31
3 (2) ~~(b) to (c)~~ and (d) and 287.81 and ch. 350 where applicable to highways, or orders
4 or rules issued pursuant thereto.

5 **SECTION 16.** 110.07 (1) (a) 3. of the statutes is amended to read:

6 110.07 (1) (a) 3. Have authority to enter any place where vehicles subject to this
7 chapter, ss. 167.31 (2) ~~(b) to (c)~~ and (d) and 287.81 and chs. 194, 218 and 341 to 350
8 are stored or parked at any time to examine such vehicles, or to stop such vehicles
9 while en route at any time upon the public highways to examine the same and make
10 arrests for all violations thereof.

11 **SECTION 17.** 110.07 (1) (b) of the statutes is amended to read:

12 110.07 (1) (b) All municipal judges, judges, district attorneys and law
13 enforcement officers shall assist in enforcing this chapter, ss. 167.31 (2) ~~(b) to (c)~~ and
14 (d) and 287.81 and chs. 194, 218 and 341 to 351, and orders or rules issued pursuant
15 thereto and shall report to the department the disposition of every uniform traffic
16 citation issued for cases involving those chapters.

17 **SECTION 18.** 165.81 (2) of the statutes is repealed.

18 **SECTION 19.** 167.30 of the statutes is renumbered 167.30 (1).

19 **SECTION 20.** 167.30 (2) of the statutes is created to read:

20 167.30 (2) Subsection (1) does not apply to the discharge of a firearm if the
21 actor's conduct is justified or, had it been subject to a criminal penalty, would have
22 been subject to a defense described in s. 939.45.

23 **SECTION 21.** 167.31 (1) (b) of the statutes is repealed.

24 **SECTION 22.** 167.31 (1) (g) of the statutes is repealed.

25 **SECTION 23.** 167.31 (2) (a) of the statutes is repealed.

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1 **SECTION 24.** 167.31 (2) (b) of the statutes is repealed.

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

3 167.31 (2) (c) Except as provided in sub. (4), no person may load or discharge
4 a firearm or shoot a bolt or an arrow from a bow or crossbow in or from a vehicle.

5 **SECTION 26.** 167.31 (2) (d) of the statutes is amended to read:

6 167.31 (2) (d) Except as provided in sub. (4) (a), ~~(b)~~, (c), (e), and (g), no person
7 may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow from or
8 across a highway or within 50 feet of the center of a roadway.

9 **SECTION 27.** 167.31 (2) (e) of the statutes is amended to read:

10 167.31 (2) (e) A person who violates ~~pars. (a) to par. (c) or~~ par. (c) or (d) is subject to a
11 forfeiture of not more than \$100.

12 **SECTION 28.** 167.31 (3) (title) of the statutes is amended to read:

13 167.31 (3) (title) ~~PROHIBITIONS~~ PROHIBITION; AIRCRAFT.

14 **SECTION 29.** 167.31 (3) (a) of the statutes is amended to read:

15 167.31 (3) (a) Except as provided in sub. (4), no person may place, possess or
16 transport a firearm, ~~bow or crossbow~~ in or on an a commercial aircraft, unless the
17 firearm is unloaded and encased ~~or unless the bow or crossbow is unstrung or is~~
18 enclosed in a carrying case.

19 **SECTION 30.** 167.31 (3) (b) of the statutes is amended to read:

20 167.31 (3) (b) Except as provided in sub. (4), no person may load or discharge
21 a firearm or shoot a bolt or an arrow from a bow or crossbow in or from an a
22 commercial aircraft.

23 **SECTION 31.** 167.31 (4) (a) of the statutes is amended to read:

24 167.31 (4) (a) Subsections (2) (c) and (d) and (3) (a) and (b) do not apply to any
25 of the following who, in the line of duty, place, possess, transport, load or discharge

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1 a firearm in, on or from a vehicle, motorboat or commercial aircraft or discharge a
2 firearm from or across a highway or within 50 feet of the center of a roadway:

3 **SECTION 32.** 167.31 (4) (am) 1. of the statutes is renumbered 167.31 (4) (am)
4 and amended to read:

5 167.31 (4) (am) Subsections (2) ~~(a)~~, (c) and (d) and (3) (a) and (b) do not apply
6 to a peace officer who, in the line of duty, loads or discharges a firearm in, on, or from
7 a vehicle, motorboat or commercial aircraft or discharges a firearm from or across a
8 highway or within 50 feet of the center of a roadway.

9 **SECTION 33.** 167.31 (4) (am) 2. and 3. of the statutes are repealed.

10 **SECTION 34.** 167.31 (4) (at) of the statutes is created to read:

11 167.31 (4) (at) Subsections (2) (c) and (d), (3) (a) and (b), and (3m) (a) do not
12 apply to the discharge of a firearm if the actor's conduct is justified or, had it been
13 subject to a criminal penalty, would have been subject to a defense described in s.
14 939.45.

15 **SECTION 35.** 167.31 (4) (b) of the statutes is amended to read:

16 167.31 (4) (b) Subsections (2) ~~(a), (b) and~~ (c), (3) (a) and (b), and (3m) (a) do not
17 apply to the holder of a scientific research license under s. 169.25 or a scientific
18 collector permit under s. 29.614 who is using a net gun or tranquilizer gun in an
19 activity related to the purpose for which the license or permit was issued.

20 **SECTION 36.** 167.31 (4) (bg), (bn) and (bt) of the statutes are repealed.

21 **SECTION 37.** 167.31 (4) (c) of the statutes is amended to read:

22 167.31 (4) (c) Subsection (2) ~~(b) and~~ (c) does not apply to the holder of a Class A
23 or Class B permit under s. 29.193 (2) who is hunting from a stationary vehicle.

24 **SECTION 38.** 167.31 (4) (cm) and (d) of the statutes are repealed.

25 **SECTION 39.** 167.31 (4) (f) of the statutes is amended to read:

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1 167.31 (4) (f) Subsection (2) (d) does not prohibit a person from possessing a
2 loaded firearm within 50 feet of the center of a roadway if the person does not violate
3 sub. (2) ~~(b) or~~ (c).

4 **SECTION 40.** 345.11 (1s) of the statutes is amended to read:

5 345.11 (1s) The uniform traffic citation shall be used by a traffic officer
6 employed under s. 110.07 for a violation of s. 167.31 (2) ~~(b)~~, (c) or (d) when committed
7 on a highway.

8 **SECTION 41.** 345.20 (2) (f) of the statutes is amended to read:

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

14 **SECTION 42.** 895.527 (5) (a) of the statutes is amended to read:

15 895.527 (5) (a) Section 167.30 (1), 941.20 (1) (d) or 948.605 or any rule
16 promulgated under those sections regulating or prohibiting the discharge of
17 firearms.

18 **SECTION 43.** 938.34 (14q) of the statutes is amended to read:

19 938.34 (14q) CERTAIN BOMB SCARES AND FIREARM VIOLATIONS. In addition to any
20 other disposition imposed under this section, if the juvenile is found to have violated
21 s. 947.015 and the property involved is owned or leased by the state or any political
22 subdivision of the state, or if the property involved is a school premises, as defined
23 in s. 948.61 (1) (c), or if the juvenile is found to have violated s. ~~941.235 or~~ 948.605,
24 immediately suspend the juvenile's operating privilege, as defined in s. 340.01 (40),
25 for 2 years. The court shall immediately forward to the department of transportation

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1 the notice of suspension, stating that the suspension is for a violation of s. 947.015
2 involving school premises, or for a violation of s. ~~941.235~~ or 948.605. If otherwise
3 eligible, the juvenile is eligible for an occupational license under s. 343.10.

4 **SECTION 44.** 938.78 (3) of the statutes is amended to read:

5 938.78 (3) RELEASE OF INFORMATION WHEN ESCAPE OR ABSENCE; RULES. If a juvenile
6 adjudged delinquent under s. 48.12, 1993 stats., or s. 938.12 or found to be in need
7 of protection or services under s. 48.13 (12), 1993 stats., or s. 48.13 (14), 1993 stats.,
8 or s. 938.13 (12) or (14) on the basis of a violation of s. 943.23 (1m) or (1r), 1999 stats.,
9 or s. 941.10, 941.11, 941.20, 941.21, ~~941.23, 941.235, 941.237~~, 941.24, 941.26, 941.28,
10 ~~941.295~~, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2)
11 (a), 943.23 (1g), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055, 948.085 (2),
12 948.60, 948.605, or 948.61 or any crime specified in ch. 940 has escaped from a
13 juvenile correctional facility, residential care center for children and youth, inpatient
14 facility, as defined in s. 51.01 (10), juvenile detention facility, or juvenile portion of
15 a county jail, or from the custody of a peace officer or a guard of such a facility, center,
16 or jail, or has been allowed to leave a juvenile correctional facility, residential care
17 center for children and youth, inpatient facility, juvenile detention facility, or
18 juvenile portion of a county jail for a specified time period and is absent from the
19 facility, center, home, or jail for more than 12 hours after the expiration of the
20 specified period, the department or county department having supervision over the
21 juvenile may release the juvenile's name and any information about the juvenile that
22 is necessary for the protection of the public or to secure the juvenile's return to the
23 facility, center, home, or jail. The department shall promulgate rules establishing
24 guidelines for the release of the juvenile's name or information about the juvenile to
25 the public.

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1 **SECTION 45.** 939.22 (10) of the statutes is amended to read:

2 **939.22 (10)** “Dangerous weapon” means any firearm, whether loaded or
3 unloaded; any device designed as a weapon and capable of producing death or great
4 bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or
5 mouth of another person to impede, partially or completely, breathing or circulation
6 of blood; any electric weapon, ~~as defined in s. 941.295 (4)~~; or any other device or
7 instrumentality which, in the manner it is used or intended to be used, is calculated
8 or likely to produce death or great bodily harm.

9 **SECTION 46.** 939.22 (11m) of the statutes is created to read:

10 **939.22 (11m)** “Electric weapon” means any device which is designed,
11 redesigned, used or intended to be used, offensively or defensively, to immobilize or
12 incapacitate persons by the use of electric current.

13 **SECTION 47.** 939.632 (1) (e) 3. of the statutes is amended to read:

14 **939.632 (1) (e) 3.** Any misdemeanor under s. 940.19 (1), 940.225 (3m), 940.32
15 (2), 940.42, 940.44, 941.20 (1), ~~941.23, 941.235~~, 941.24 or 941.38 (3).

16 **SECTION 48.** 941.23 of the statutes is repealed.

17 **SECTION 49.** 941.232 of the statutes is created to read:

18 **941.232 Carrying a weapon at certain locations. (1)** In this section:

19 (a) “Carry” means to go armed with.

20 (b) “Weapon” means a handgun, an electric weapon, a knife other than a
21 switchblade knife under s. 941.24, or a billy club.

22 **(2) (a)** Except as provided in par. (b), any person other than a law enforcement
23 officer who knowingly carries a weapon or a firearm that is not a weapon into any
24 of the following places is guilty of a Class C misdemeanor:

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1 1. Any portion of a building that is a police station, sheriff's office, or state
2 patrol station.

3 2. A prison, jail, house of correction, or secured correctional facility.

4 3. A county, state, or federal courthouse.

5 4. A place beyond a security checkpoint in an airport.

6 5. If a building owned or leased by the state or any political subdivision of the
7 state provides electronic screening for weapons or firearms that are not weapons at
8 all public entrances to the building and provides locked storage for weapons and
9 firearms that are not weapons on the premises while the person carrying the weapon
10 or firearm is in the building, any portion of the building that is beyond the electronic
11 screening.

12 (b) The prohibitions under par. (a) do not apply to any of the following:

13 1. A weapon in a vehicle driven or parked in a parking facility located in a
14 building that is used as, or any portion of which is used as, a location under par. (a).

15 2. A weapon in a courthouse if a judge who is a licensee is carrying the weapon
16 or if another licensee or out-of-state licensee, whom a judge has permitted in writing
17 to carry a weapon, is carrying the weapon.

18 3. A weapon in a courthouse if a district attorney, or an assistant district
19 attorney, who is a licensee is carrying the weapon.

20 4. If the place is a building under par. (a) 5., a weapon if a person leasing
21 residential or business premises in the building is carrying the weapon.

22 **(3)** (a) Except as provided in par. (b), an employer may prohibit an employee
23 from carrying a concealed weapon or a particular type of concealed weapon in the
24 course of the employee's employment or during any part of the course of the
25 employee's employment.

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1 (b) An employer may not prohibit an employee, as a condition of employment,
2 from carrying a concealed weapon, a particular type of concealed weapon, or
3 ammunition or from storing a weapon, a particular type of weapon, or ammunition
4 in the employee's own motor vehicle, regardless of whether the motor vehicle is used
5 in the course of employment or whether the motor vehicle is driven or parked on
6 property used by the employer.

7 (c) An employer that does not prohibit one or more employees from carrying a
8 concealed weapon under par. (a) is immune from any liability arising from its
9 decision.

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

11 **SECTION 51.** 941.237 of the statutes is repealed.

12 **SECTION 52.** 941.295 of the statutes is repealed.

13 **SECTION 53.** 941.299 (1) (a) of the statutes is amended to read:

14 941.299 (1) (a) "~~Correctional officer~~" ~~has the meaning given in s. 941.237 (1)~~
15 ~~(b) means any person employed by the state or any political subdivision as a guard~~
16 ~~or officer whose principal duties are the supervision and discipline of inmates.~~

17 **SECTION 54.** 943.13 (1e) (a) of the statutes is renumbered 943.13 (1e) (ar).

18 **SECTION 55.** 943.13 (1e) (aL) of the statutes is created to read:

19 943.13 (1e) (aL) "Carry" means to go armed with.

20 **SECTION 56.** 943.13 (1e) (cm) of the statutes is created to read:

21 943.13 (1e) (cm) "Nonresidential building" includes any privately or publicly
22 owned building on the grounds of a university or college.

23 **SECTION 57.** 943.13 (1m) (b) of the statutes is amended to read:

24 943.13 (1m) (b) Enters or remains on any land of another after having been
25 notified by the owner or occupant not to enter or remain on the premises. This

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1 paragraph does not apply to an individual if the owner's or occupant's intent is to
2 prevent the individual from carrying a firearm on the owner's or occupant's land.

3 **SECTION 58.** 943.13 (1m) (c) of the statutes is created to read:

4 943.13 **(1m)** (c) 1. While carrying a firearm, enters or remains at a residence
5 that the actor does not own or occupy after the owner of the residence, if he or she
6 has not leased it to another person, or the occupant of the residence has notified the
7 actor not to enter or remain at the residence while carrying a firearm. In this
8 subdivision, "residence," with respect to a single-family residence, includes the
9 residence building and the parcel of land upon which the residence building is
10 located, and "residence," with respect to a residence that is not a single-family
11 residence, does not include any common area of the building in which the residence
12 is located or any common areas of the rest of the parcel of land upon which the
13 residence building is located.

14 2. While carrying a firearm, enters or remains in any part of a nonresidential
15 building that the actor does not own or occupy after the owner of the building, if that
16 part of the building has not been leased to another person, or the occupant of that
17 part of the building has notified the actor not to enter or remain in that part of the
18 building while carrying a firearm. This subdivision does not apply to a part of a
19 building occupied by the state or one of its political subdivisions or, if the firearm is
20 in a vehicle driven or parked in the parking facility, to any part of a building used as
21 a parking facility.

22 **SECTION 59.** 943.13 (2) of the statutes is renumbered 943.13 (2) (am), and
23 943.13 (2) (am) (intro.) and 1., as renumbered, are amended to read:

24 943.13 **(2)** (am) (intro.) A person has received notice from the owner or occupant
25 within the meaning of sub. (1m) (b), (e) or (f) if he or she has been notified personally,

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1 either orally or in writing, or if the land is posted. Land is considered to be posted
2 under this subsection paragraph under either of the following procedures:

3 1. If a sign at least 11 inches square is placed in at least 2 conspicuous places
4 for every 40 acres to be protected. The sign must ~~carry~~ provide an appropriate notice
5 and the name of the person giving the notice followed by the word "owner" if the
6 person giving the notice is the holder of legal title to the land and by the word
7 "occupant" if the person giving the notice is not the holder of legal title but is a lawful
8 occupant of the land. Proof that appropriate signs as provided in this ~~paragraph~~
9 subdivision were erected or in existence upon the premises to be protected prior to
10 the event complained of shall be prima facie proof that the premises to be protected
11 were posted as provided in this ~~paragraph~~ subdivision.

12 **SECTION 60.** 943.13 (2) (bm) of the statutes is created to read:

13 943.13 (2) (bm) 1. In this paragraph, "sign" means a sign that states a
14 restriction imposed under subd. 2. that is at least 8.5 inches by 11 inches and colored
15 orange as described in s. 29.301 (2).

16 2. For the purposes of sub. (1m) (c) 2., an owner or occupant of a part of a
17 nonresidential building has notified an individual not to enter or remain in that part
18 of the building while carrying a firearm if the owner or occupant has posted a sign
19 that is located in a prominent place near all of the entrances to the part of the
20 building to which the restriction applies and any individual entering the building
21 can be reasonably expected to see the sign.

22 **SECTION 61.** 943.13 (3) of the statutes is amended to read:

23 943.13 (3) Whoever erects on the land of another signs which are the same as
24 or similar to those described in sub. (2) (am) without obtaining the express consent

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1 of the lawful occupant of or holder of legal title to such land is subject to a Class C
2 forfeiture.

3 **SECTION 62.** 943.13 (6) of the statutes is created to read:

4 943.13 (6) A person that does not, under this section, prohibit an individual
5 who is carrying a firearm from entering or remaining on property that the person
6 owns or occupies is immune from any liability arising from its decision.

7 **SECTION 63.** 947.01 of the statutes is renumbered 947.01 (1).

8 **SECTION 64.** 947.01 (2) of the statutes is created to read:

9 947.01 (2) A person is not in violation of, and may not be charged with a
10 violation of, sub. (1) for loading, carrying, or going armed with a firearm without
11 regard to whether the firearm is loaded or is concealed or openly carried.

12 **SECTION 65.** 947.011 (2) (a) 1. of the statutes is amended to read:

13 947.011 (2) (a) 1. Engage in conduct that is prohibited under s. 947.01 (1) within
14 500 feet of any entrance to a facility being used for the service with the intent to
15 disrupt the service.

16 **SECTION 66.** 947.011 (2) (c) 1. of the statutes is amended to read:

17 947.011 (2) (c) 1. Engage in conduct that is prohibited under s. 947.01 (1) within
18 500 feet of any entrance to a facility being used for the service.

19 **SECTION 67.** 947.011 (2) (d) of the statutes is amended to read:

20 947.011 (2) (d) No person may impede vehicles that are part of a funeral
21 procession if the person's conduct violates s. 947.01 (1).

22 **SECTION 68.** 948.60 (1) of the statutes is amended to read:

23 948.60 (1) In this section, "dangerous weapon" means any firearm, loaded or
24 unloaded; any electric weapon, ~~as defined in s. 941.295 (4);~~ metallic knuckles or
25 knuckles of any substance which could be put to the same use with the same or

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1 similar effect as metallic knuckles; a nunchaku or any similar weapon consisting of
2 2 sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire
3 or leather; a cestus or similar material weighted with metal or other substance and
4 worn on the hand; a shuriken or any similar pointed star-like object intended to
5 injure a person when thrown; or a manrikigusari or similar length of chain having
6 weighted ends.

7 **SECTION 69.** 948.605 (1) (a) and (am) of the statutes are repealed.

8 **SECTION 70.** 948.605 (2) (title) of the statutes is amended to read:

9 948.605 (2) (title) POSSESSION OF FIREARM IN ON THE GROUNDS OF A SCHOOL ZONE.

10 **SECTION 71.** 948.605 (2) (a) of the statutes is amended to read:

11 948.605 (2) (a) Any individual who knowingly possesses a firearm at a place
12 that the individual knows, or has reasonable cause to believe, is ~~a school zone~~ on the
13 grounds of a school is guilty of a Class I felony.

14 **SECTION 72.** 948.605 (2) (b) (intro.) of the statutes is amended to read:

15 948.605 (2) (b) (intro.) Paragraph (a) does not apply to the possession of a
16 firearm by any of the following:

17 **SECTION 73.** 948.605 (2) (b) 1. to 5. and 7. of the statutes are repealed.

18 **SECTION 74.** 948.605 (2) (b) 1m. of the statutes is created to read:

19 948.605 (2) (b) 1m. A person who possess the firearm in accordance with 18
20 USC 922 (q) (2) (b) (i), (iii), (iv), (v), (vi), or (vii).

21 **SECTION 75.** 948.605 (2) (b) 6. of the statutes is amended to read:

22 948.605 (2) (b) 6. ~~By a law enforcement officer or~~ A state-certified commission
23 warden acting in his or her official capacity; ~~or.~~

24 **SECTION 76.** 968.255 (1) (a) 2. of the statutes is amended to read:

Conceal Carry SB-93

- Eliminates prohibitions against going armed with a concealed and dangerous weapon
- Eliminates prohibitions against going armed with or possessing a firearm in a public building or tavern.
- Adds prohibitions against carrying weapons in the following locations:
 - Police Station
 - Sheriff's office
 - State patrol station
 - Prison or jail
 - House of corrections or secured correctional facility
 - Courthouse
 - Beyond airport security checkpoint
 - Building owned or leased by the state or any political subdivision of the state if the building provides elections weapon screening at all public entrances and provides locked weapon storage
- Exempts handguns from the prohibition of possessing firearms in a state park or wildlife refuge
- Changes the prohibition from being armed with or possessing a firearm within 1,000 feet of the grounds of a school, only to being prohibited from being armed with or possession a firearm on the grounds of a school
- Eliminates the requirement that a firearm be unloaded and encased and that a bow or cross bow be unstrung and encased in order to be carried in a vehicle
- Specifies that an individual is not violating disorderly conduct law by loading, carrying or going armed with the firearm whether it is loaded, concealed or openly carried
- Eliminates prohibitions against possessing electric weapons.

Conceal Carry Comparison Discussion

SB-93 is the bill that is being described as “constitutional carry.” This bill does not set up any system for issuing conceal carry licenses. Instead, the bill will allow any individual to carry a concealed weapon in most areas of the state, with certain exceptions. Those exemptions are limited and basically include law enforcement related buildings, airports, or certain state and municipally owned secured buildings.

An employer may prohibit an employee from carrying a concealed weapon in the course of the employee’s employment, except when that employee is in their own vehicle.

In addition, this draft would allow conceal carry in taverns and most public buildings, conceal carry of handguns in state parks and wildlife refuges, and changes state law to state prohibit being armed or possessing a firearm on school grounds (as opposed to within 1,000 feet of the grounds of a school). It will also allow for loaded and uncased firearms and bow weapons to be carried in vehicles and will allow for the possession of electric weapons.

SB-90 /AB-126 set up a process for the issuance of a license to carry a concealed weapon (handgun, electric weapon, or Billy club). In order to qualify for a license, the applicant must be a Wisconsin resident at least 21 years old and must not be prohibited from possessing a firearm under federal or state law (as discovered during a background check). The license fee will include \$13 for a criminal background check and \$52 for administrative expenses. Once issued, the license will be valid for five years. A renewal license fee of \$27 will also be assessed. One glaring omission from the bill is required training for those seeking a license.

There are several prohibitions where a license holder may carry a weapon. Those prohibitions include law enforcement related buildings, airports, and school grounds. The state or any municipality may prohibit a licensee from carrying a firearm into any government building. In addition, a business or homeowner may prohibit conceal carry on their property and employers may prohibit conceal carry during the course of employment.

The bill also requires DOJ and local law enforcement agencies to enable qualified retired law enforcement officers to carry concealed firearms under federal law. They would receive DOJ issued certification cards. Active duty officers would also be eligible to conceal carry weapons.

Various penalties are also established for license violations ranging from a fine of \$25 to a misdemeanor that carries up to \$10,000 in fines and up to 9 months imprisonment. The bill would also allow bows and crossbows to uncased and strung in vehicles as long as they are not armed.



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Sponsors: ALD. WITKOWSKI

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Drafter
CC-CC
jro
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