

2007 ASSEMBLY BILL 716

January 22, 2008 – Introduced by Representatives SMITH, TURNER, BIES, ALBERS, JESKEWITZ, GRONEMUS, SINICKI, SEIDEL and A. WILLIAMS, cosponsored by Senators KREITLOW and LEHMAN. Referred to Committee on Natural Resources.

1 **AN ACT to create** 29.024 (1m) and 29.971 (3r) of the statutes; **relating to:**
2 prohibiting certain persons from obtaining a license that authorizes hunting
3 with a firearm and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits certain persons from possessing a firearm. Felons are prohibited from possessing a firearm subsequent to conviction and certain persons adjudicated delinquent may not possess a firearm subsequent to adjudication. A person found not guilty of a felony by reason of mental defect is prohibited from possessing a firearm subsequent to the not guilty finding. Current law also prohibits certain persons ordered not to possess a firearm, such as those committed for treatment for a mental illness, from possessing a firearm while subject to that order. A person who is enjoined from committing acts of domestic abuse or who is enjoined from coming into contact with a child is prohibited from possessing a firearm while the injunction is in effect. Finally, a person who is subject to an order that prohibits the person from engaging in harassing behavior and from possessing a firearm is prohibited from possessing a firearm while the order is in effect.

This bill prohibits a person who, under current law, is prohibited from possessing a firearm from obtaining a hunting license that authorizes the person to hunt with a firearm, such as a small game hunting license or a deer hunting license (hunting license). The bill requires the Department of Natural Resources (DNR) to annually request that the Department of Justice conduct a firearms restrictions record search with respect to every person to whom DNR issued a hunting license

ASSEMBLY BILL 716

during the 12 months immediately preceding the month in which the search is requested.

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.** 29.024 (1m) of the statutes is created to read:

2 **29.024 (1m) FIREARM RESTRICTIONS.** (a) In this subsection, “*hunting license*”
3 means a license issued under this chapter that authorizes hunting with a firearm.

4 (b) No person may obtain or use a hunting license if the person is prohibited
5 from possessing a firearm under s. 941.29.

6 (c) The department, and its agents, shall inform each person who applies for
7 a hunting license of the prohibition under par. (b).

8 (d) The department shall follow the procedures for the issuance of a citation
9 under ss. 23.50 to 23.99 to collect a forfeiture from a person who commits a violation
10 specified under par. (b).

11 (e) For the purpose of determining whether a person prohibited from
12 possessing a firearm under s. 941.29 obtained a hunting license from the department
13 of natural resources, the department of natural resources shall annually request
14 that the department of justice conduct a firearms restrictions record search, as
15 defined in s. 175.35 (1) (at), with respect to every person to whom the department of
16 natural resources issued a hunting license during the 12 months immediately
17 preceding the month in which the search is requested.

18 (f) The department of justice may not impose a fee for a firearms restrictions
19 record search conducted under par. (d).

20 **SECTION 2.** 29.971 (3r) of the statutes is created to read:

