

Summary of Senate Bill 93/Act 35 - The PPA (Personal Protection Act)

- Requires Wisconsin residents to obtain a Wisconsin concealed weapons license to carry concealed in the state. They may not use an out-of-state license.
- Specifies that a **licensee** may carry a handgun concealed or openly. Unlike in some other states, an exposed handgun will not result in arrest.
- Offers liability protections for those who choose not to prohibit the carrying of concealed weapons on their properties.
- Specifies that citizens may not be prosecuted for violating local firearms discharge ordinances if they are acting in defense of themselves or others.
- Exempts citizens from various statutory prohibitions against the discharge of firearms under certain circumstances if they are acting in defense of themselves or others.
- Eliminates the prohibition against the possession of uncased, loaded handguns in vehicles, noncommercial aircraft, boats, and ATVs. This expanded freedom applies to both **licensees** and non-licensees.
- Exempts **handguns** from the prohibition against a **person** loading firearms in a vehicle.
- Allows non-residents who have concealed weapons licenses issued by any other state to carry in Wisconsin as long as that jurisdiction requires licensees to submit to a criminal background check comparable to that required for a Wisconsin carry license or the person's license indicates that he or she volunteered for such a background check.
- Authorizes DOJ to enter into reciprocity agreements with other states that may require them in order to honor Wisconsin licenses.
- Requires concealed weapons **licensees** to be in possession of their licenses at all times while carrying a concealed weapon off of their own property. In addition, **licensees** must carry a Wisconsin operator's license or identification card. Non-residents carrying concealed weapons using an out-of-state license must carry similar forms of identification issued by their state.
- Directs **licensees** to present their licenses to law enforcement officers if the officers are acting in an official capacity and with lawful authority.
- Defines "weapon" as a handgun, electric weapon, knife that is not a switchblade, or billy club.
- Eliminates the requirement that "encased" firearms be enclosed in a case that is "expressly made for the purpose of containing a firearm." Cases of any kind will now satisfy this requirement.
- States explicitly that the new concealed weapons law does not detract from the right of citizens to carry firearms openly without a license.
- Creates a criminal penalty for any law enforcement officer who uses excessive force based solely on an individual's status as a licensee. The penalty is a fine of not more than \$500 and imprisonment for not more than 30 days.

- Provides for an annual statistical report indicating the number of licenses applied for, issued, denied, suspended and revoked and the reasons for denials, suspensions and revocations.
- Allows law enforcement agencies to access the licensee database only to confirm the validity of a license that has been presented by a licensee or to confirm that a person is a licensee if found carrying a concealed weapon and claims to be a licensee. During investigations, law enforcement officers may access the list to determine if an applicant provided false information during the application process or whether a licensee has complied with the requirement to surrender a suspended or revoked license.
- Specifies that the state may not make licensee information available to the public except in the context of a prosecution for an offense in which the person's status as a licensee is relevant.
- Exempts **licensees** from the prohibition against carrying handguns in wildlife refuges, state parks and state fish hatcheries.
- Applies the current statutory prohibition against the handling of firearms while impaired to **licensees** who are carrying concealed weapons. The standard is the same as for those who operate motor vehicles while impaired.
- Exempts **licensees** from the prohibition against possessing a handgun in establishments that serves alcohol for on-premise consumption as long as the **licensee** is not consuming alcohol.
- Clarifies that the general prohibition against the possession of concealed weapons does not apply to **people** in their own dwelling or place of business or on land that they own, lease or legally occupy. Also, **licensees** do not need to be in possession of their license while carrying concealed weapons in these locations.
- Allows **non-licensees** to transport electric weapons as long as they are enclosed in a carrying case. This eliminates the existing complete prohibition on transportation.
- Provides for the full implementation of the Federal Law Enforcement Officer Safety Act (LEOSA) in Wisconsin.

Prohibits concealed weapons in the following locations:

- Any portion of a building that is a police station, sheriff's office, state patrol station, or office of the DOJ's division of criminal investigation;
- Any portion of a building that is a prison, jail, house of correction or secured correctional facility;
- Any secured portion of a mental health institute;
- Any portion of a building that is a county, state or federal courthouse (exceptions for judges, district attorneys and those with written judicial authorization);
- Any portion of a building that is a municipal courtroom if court is in session;
- A place beyond a security checkpoint at an airport.

Summary of Senate Bill 93/Act 35 compliments of the N.R.A.