



## WISCONSIN REQUIREMENTS FOR CARRYING A CONCEALED WEAPON

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On July 8, 2011, Governor Walker signed 2011 Wisconsin Act 35, and Wisconsin became the 49th state to allow individuals to carry a concealed weapon. This action leaves Illinois as the only remaining state without some sort of concealed-carry legislation. While a few minor aspects of the bill took effect immediately, the majority of the law will take effect on November 1, 2011. Below are the practical facts about the law. Should you have specific questions regarding the applications of the law, feel free to contact our office at (920) 437-0476.

### **Do I Meet The Requirements For Concealed-Carry?**

The Act created Wis. Stat. § 175.60 which states that the Wisconsin Department of Justice shall issue a license to carry a concealed weapon to any individual who is a Wisconsin resident, at least 21 years old, passed a background check, and provided proof of training. A licensed individual must carry a license document (permit) and photographic identification card when carrying a concealed weapon.

Governor Walker and Democrats both sought provisions to the bill requiring training and the issuance of a permit to any citizen who is allowed to carry a concealed weapon. The State Department of Justice must issue permits to only those individuals who have met the above application requirements. Under the new law, permits will cost a maximum of \$50 and be valid for five years. The cost of renewing a license will be approximately \$25.

### **What Weapons Are Permitted Under Concealed-Carry?**

Weapons permitted under the new law include handguns, electronic tasers, billyclubs, and knives other than switchblades.

### **What Activity Is Prohibited Under The Act?**

The Act prohibits licensed individuals from carrying concealed weapons in places such as law enforcement offices, prisons, jails, municipal, county, state or federal courthouses, secure mental-health facilities, and beyond security checkpoints at airports. A concealed weapon will be permitted in city and state parks, as well as in taverns and other places that sell alcohol, provided the individual concealing the weapon is not under the influence of alcohol. Overall, the Act will keep in place the current ban on carrying guns in schools and on school grounds.

An individual who carries a concealed weapon in prohibited locations will be subject to a fine up to \$500 and/or imprisonment up to 30 days. However, the prohibition does not apply to weapons in vehicles driven or parked in a parking facility located in the buildings listed above.

### **How Do Property Owners And Employers Get Immunity?**

Property owners and employers who do not prohibit concealed weapons on their property or at their place of business are immune from liability arising from such decision. In the event, a property owner and/or employer prohibits concealed-carry on their property, they are not directly immune from liability.

### **What Are The Requirements If Property Owners Or Employers Ban Concealed Weapons From Their Property?**

Business and private locations that decide to ban concealed weapons from their premises should ensure that they have the required signage in place before the effective date of the concealed carry law.

Wis. Stat. § 943.13(2)(bm) provides that signs must be posted “in a prominent place near all of the entrances to the part of the building to which the restriction applies and any individual entering the building can be reasonably expected to see the sign.”

To provide proper notice to visitors, customers, etc. the signage must be at least 5 inches by 7 inches, state that concealed or open firearms are prohibited in the building or on the premises, and specify the area to which the prohibition applies. Additionally, workplace policies should be put into effect before the date of the concealed carry law for those employers who would like to ban concealed weapons from their premises. Employers can ban employees from carrying concealed weapons in the workplace as a condition of employment; however, they cannot prohibit them from carrying or storing a concealed weapon in their motor vehicles .

### **The Big Debate**

Supporters of the bill say this law is long overdue, while opponents argue that it won't stop crime and will only put more guns onto the streets. Republicans are criticized for making concealed-carry a priority in these tough economic times. Democrats are mocked for their inability to see the big picture and that for the first time, violent criminals are going to have to fear that if they engage in high risk behavior, it could have a greater penalty than ever before.