



2019 ASSEMBLY BILL 239

May 24, 2019 - Introduced by Representatives BALLWEG, STAFSHOLT, KNODL, KRUG, KURTZ, MURSAU, PRONSCHINSKE, SKOWRONSKI, SORTWELL and TUSLER, cosponsored by Senators OLSEN, FEYEN, MARKLEIN and SMITH. Referred to Committee on Sporting Heritage.

1 **AN ACT** *to renumber and amend* 23.33 (3) (eg); and *to amend* 23.33 (3c) (title),
2 23.33 (3c) (b), 167.31 (2) (a) 3., 167.31 (2) (b) 3. and 167.31 (4) (ag) of the statutes;
3 **relating to:** placing, possessing, or transporting a bow or crossbow in or on a
4 motorboat, vehicle, all-terrain vehicle, or utility terrain vehicle.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a firearm, bow, or crossbow may not be placed, possessed, or transported in or on a motorboat or vehicle, except that the restrictions on placing or possessing a firearm on a vehicle do not apply if the vehicle is stationary. This bill adds that the restrictions on placing or possessing a bow or crossbow on a vehicle do not apply if the vehicle is stationary, which means not moving, regardless of whether the motor is running. A vehicle, in this context, includes every device by which any person or property is or may be transported or drawn upon a highway, except railroad trains and personal delivery devices.

Under current law, a bow or crossbow may not be possessed by a person operating an all-terrain vehicle or utility terrain vehicle, unless the bow does not have an arrow nocked or the crossbow is not cocked or is unloaded and enclosed in a carrying case. This bill adds that the restrictions on possessing a crossbow while operating an ATV or UTV do not apply when the ATV or UTV is stationary.

Under current law, one exception to the prohibition on placing, possessing, or transporting a crossbow on a motorboat or vehicle is if the crossbow is not cocked or is unloaded and enclosed in a carrying case, similar to the exception to the prohibition on possessing a crossbow while operating an ATV or UTV. Under this bill,

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these exceptions are changed so that the requirement to enclose an unloaded crossbow in a carrying case is eliminated and a crossbow must either be not cocked or unloaded.

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

1 **SECTION 1.** 23.33 (3) (eg) of the statutes is renumbered 23.33 (3c) (am) and
2 amended to read:

3 23.33 **(3c)** (am) ~~With~~ No person may operate an all-terrain vehicle or utility
4 terrain vehicle with any crossbow in his or her possession unless the crossbow is not
5 cocked or is unloaded ~~and enclosed in a carrying case.~~

6 **SECTION 2.** 23.33 (3c) (title) of the statutes is amended to read:

7 23.33 **(3c)** (title) OPERATION WITH FIREARMS OR CROSSBOWS.

8 **SECTION 3.** 23.33 (3c) (b) of the statutes is amended to read:

9 23.33 **(3c)** (b) ~~Paragraph~~ Paragraphs (a) ~~does~~ and (am) do not apply to a firearm
10 or crossbow that is placed or possessed on an all-terrain vehicle or utility terrain
11 vehicle that is stationary, as defined in s. 167.31 (1) (fg).

12 **SECTION 4.** 167.31 (2) (a) 3. of the statutes is amended to read:

13 167.31 **(2)** (a) 3. The crossbow is not cocked or is unloaded ~~and enclosed in a~~
14 ~~carrying case.~~

15 **SECTION 5.** 167.31 (2) (b) 3. of the statutes is amended to read:

16 167.31 **(2)** (b) 3. The crossbow is not cocked or is unloaded ~~and enclosed in a~~
17 ~~carrying case.~~

18 **SECTION 6.** 167.31 (4) (ag) of the statutes is amended to read:

