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# Wisconsin Legislative Council

## ACT MEMO

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December 13, 2023

### 2023 Wisconsin Act 51 [2023 Senate Bill 208]

### Nuisance Wildlife at Airports

2023 Wisconsin Act 51 provides limited exceptions to various laws relating to hunting and weapons, to facilitate nuisance wildlife management and control at certain airports.

## BACKGROUND

With some exceptions, Wisconsin law generally prohibits all of the following, with various applicable penalties:

- Shining a light on wild animals for the purpose of illuminating, locating, or attempting to illuminate or locate, the animals, either: (1) while in possession of a firearm, bow and arrow, or crossbow; or (2) from 10 p.m. to 7 a.m. from September 15 to December 31.
- Placing, possessing, or transporting a firearm, bow, or crossbow in a motorboat or vehicle, unless: (1) the firearm is unloaded or a handgun; (2) the bow does not have an arrow nocked; or (3) the crossbow is not cocked or is unloaded.
- Loading a firearm, other than a handgun, in a vehicle.
- Discharging a firearm, or shooting a bolt or an arrow from a bow or crossbow, in or from a vehicle, from or across a highway, or within 50 feet of the center of a roadway.
- Intentionally discharging a firearm at or toward a person, building, or vehicle, from a vehicle while on a highway or on a vehicle parking lot that is open to the public.

## 2023 WISCONSIN ACT 51

The act provides an exception from each of the general prohibitions listed above. The exceptions allow designated personnel<sup>1</sup> at certain airports to conduct nuisance wildlife management and control when authorized by state and federal permits.

Specifically, the act applies to designated personnel at public-use airports and airports under the exclusive control of the National Guard or the U.S. Department of Defense. For this purpose, the act incorporates an existing definition of “public-use airport” as any of the following, as provided under federal law: (1) any public airport; (2) any privately owned reliever airport; or (3) any privately owned airport used for public purposes and determined by the U.S. Department of Transportation to enplane 2,500 or more passengers annually and receive scheduled passenger service of aircraft.

In addition, the act amends the Department of Natural Resources’ administrative rules relating to approval for destroying or relocating wild animals that are causing damage, by authorizing the

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<sup>1</sup> The act defines “designated personnel” to include any person who is acting within the scope of his or her employment or employer and who is an employee or contractor of the airport or the local government that operates the airport or a federal employee or agent.

department to exempt a permittee from general shooting hour restrictions, if the exemption is used to assist designated personnel at certain airports in conducting nuisance wildlife management and control authorized by state or federal permits.

**Effective date:** December 8, 2023

For a full history of the bill, visit the Legislature's [bill history page](#).

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