

NOTICE OF GUIDANCE DOCUMENT

Pursuant to Wis. Stat. § 227.112, the Wisconsin Department of Justice is hereby seeking comment on the following proposed guidance documents:

Concealed Weapons License Information Pamphlet

Carrying Concealed Weapons Law, Questions & Answers

CCW Paper Form & Instructions (website)

CCW Training Requirements (website)

Guide for Appealing a Handgun Transfer Denial Pamphlet

Law Enforcement Officer's Safety Act (website)

The LEOSA/H.R. 218 Process in Wisconsin

Online Firearms Background Check Pamphlet

Becoming a Registered Firearms Dealer in Wisconsin

PUBLIC COMMENT AND DEADLINE FOR SUBMISSION

Comments may be submitted to the Wisconsin Department of Justice until February 24, 2020 by emailing the agency contact person listed below.

AGENCY CONTACT PERSON

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This guide only applies to the carrying of a concealed weapon with a license. Do not rely on the information in this brochure for non-license carry.

Information contained within this brochure is valid as of the revision date and may change pursuant to a change in Wisconsin statutes or administrative codes. For the most up-to-date information please refer to the following websites:

DOJ:

www.doj.state.wi.us

WI CCW Website:

<https://concealedcarry.doj.wi.gov>

WI State Statutes:

<http://legis.wisconsin.gov/rsb/stats.html>

Wisconsin
Department of Justice
Crime Information Bureau
Firearms Unit
P. O. Box 7130
Madison, WI 53707-7130

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Concealed Weapons License Information

OFFICE OF THE ATTORNEY GENERAL

Revised: December 13, 2018

Firearm Safety

Everyone should learn the four fundamental rules of firearms safety and follow them at all times to prevent the unsafe or unintentional firing of a weapon.

1. Treat every gun as if it is loaded.
2. Always point the muzzle in a safe direction.
3. Be certain of your target and what's beyond.
4. Keep your finger off the trigger and outside the trigger guard until you want the gun to fire.

A key component of firearm safety is maintaining control of the weapon. When you maintain control of the weapon you ensure it is not accessible to unauthorized users or children. Use a holster or carry system that securely retains your weapon to enhance your safety and the safety of those around you.

Law Enforcement Contact

The concealed carry law requires you to display your photo identification and concealed carry license upon the request of a law enforcement officer when you are carrying a concealed weapon. For your safety and the safety of the law enforcement officer, we recommend the following actions to avoid raising alarm and ensure the contact goes as smoothly as possible.

1. Cooperate fully with the officer.
2. If you are in a vehicle, roll down the window.
3. At night, turn on the dome light.
4. Stay in the vehicle unless the officer tells you to get out.
5. Keep your hands where the officer can see them. If you are in a vehicle, the best place to put them is on the steering wheel.

6. Immediately and calmly tell the officer that you have a concealed carry license and are carrying a weapon.
7. Tell the officer where your permit and weapon are located. Do not reach for them unless specifically told to by the officer. Don't make any quick movements.

In some circumstances the officer may ask to take temporary possession of the weapon to ensure the safety of the officer and others. However, in routine non-arrest contacts the officer will return the weapon to you at the end of the contact.

Other State and Federal Property

Federal law applies to federal government property and locations. A Wisconsin concealed carry license does not necessarily authorize carry of a weapon on federal property.

A Wisconsin concealed carry license may or may not be accepted in other states. Each state has the power to regulate what nonresident permits it accepts. We suggest that you contact each state you intend to travel to for the most up to date concealed carry regulations.

Prohibited Locations

A concealed carry license does NOT allow you to carry a weapon in the following locations:

- Any portion of a building that is a police station, sheriff's office, state patrol station, or the office of a division of criminal investigation special agent of the DOJ.
- Any portion of a building that is a prison, jail, house of correction, or secured correctional facility.
- The Sand Ridge Secure Treatment Center, the Wisconsin Resource Center, or any secured unit or secured portion of a mental health institution, including a facility designated as the Maximum Security Facility at the Mendota Mental Health Institute.
- Any portion of a building that is a county, state, or federal courthouse.
- Any portion of a building that is a municipal courtroom, if court is in session.
- A place beyond a security checkpoint in an airport.

School Grounds & Premises

As a concealed carry licensee you may possess a firearm within 1,000 feet of the grounds of a school. However, it is a felony to possess a firearm in or on the grounds of a school unless you are within one of the narrowly defined statutory exceptions listed under Wis. Stats. s. 948.605 (2)(b). It is illegal to possess any other dangerous weapons (e.g. knife, taser, etc.) on school premises unless you are within one of the statutory exceptions listed under s. 948.61 (3).

A school is defined as a public school, parochial or private school, or tribal school, which provides an educational program for one or more grades between grades K and 12 and is commonly known as an elementary, middle, junior high, senior high or high school.

Taverns and Alcohol

A licensee may carry a concealed weapon in an establishment where alcohol is consumed or served so long as they are not consuming alcohol on the premises. Wis. Stats. s. 941.237(3). It is a class A misdemeanor punishable by 9 months jail and/or \$10,000 fine for any person, whether or not they are a licensee, to possess a firearm while under the influence of an intoxicant.

Employers

Employers may prohibit employees from carrying a concealed weapon while at work. That prohibition does not extend to a weapon kept in the employee's own motor vehicle, even if the vehicle is used for work purposes, or parked on the employer's lot.

Businesses

Businesses may prohibit people from carrying concealed weapons on their property. This prohibition does not extend to weapons kept in vehicles in parking areas. Notice can be verbal or via a sign posted in a prominent place near all of the entrances to the part of the building to which the restriction applies.

Residential and Non-residential Property

The owner of residential or non-residential property may prohibit anyone who is not an owner, lessee, or an occupant of the property from entering or remaining on the property while carrying a weapon. Notice can be verbal or via a sign posted in a prominent place near all of the entrances to the part of the building to which the restriction applies. This prohibition does not extend to weapons kept in vehicles in parking areas.

State and local governments and colleges and universities may prohibit the possession of weapons in public or privately owned buildings by posting a sign in the same manner as previously described. This prohibition does not extend to weapons kept in vehicles in parking areas.

The carrying of weapons on public land is generally permitted. However, there are many variables to concealed carry in buildings and on public and private land. Refer to Wis. Stats. s. 943.13 and the DNR website: www.dnr.state.wi.us for specific information.

If You Use Your Weapon in Self Defense

Ensure your safety and request medical assistance if needed by calling 911 or asking a witness to do so. Law enforcement needs to be notified immediately if you use your weapon. Remain at a safe location on the scene and, unless you are facing an imminent threat, secure your weapon so arriving officers do not mistake you as a threat to them. It is important to remember that regardless of your intent or actions you must follow the directions of on-duty law enforcement officers who must quickly analyze the situation, make a threat assessment, and initiate an investigation. Please keep both hands in plain view of the officers. You may be placed in temporary custody until law enforcement can secure the scene, make it safe, and determine what occurred. Comply with any request to be handcuffed and searched until the officer can determine the circumstances surrounding the incident. Off-duty police officers involved in a shooting are handled in this same manner. Unless the investigating officers believe that you have acted unlawfully you will not be arrested.

Suspension or Revocation of License: Any

potential change to licensee eligibility may constitute grounds for suspension or revocation of a license to carry a concealed weapon. If a license is suspended or revoked, the licensee must return the license to the Department of Justice personally or by certified mail within seven (7) days of suspension or revocation.

Lost or Destroyed License: If a license is lost or destroyed the licensee may obtain a replacement by submitting form DJ-LE-285, available on the DOJ website, along with a \$12 fee and any remaining portions of the license to the Department of Justice. If the license has been lost a new license number will be assigned.

Change of Address: Licensees are required to notify the Department of Justice of a change of address within thirty (30) days of any such change. This notification must be done by submitting form DJ-LE-285, which can be found on the DOJ website. To receive a new card with the licensee's new address, payment of a \$12 fee is required.

Change of Name: Licensees are required to notify the Department of Justice of a change in their legal name within thirty (30) days of any such change. This notification must be done by submitting form DJ-LE-293, which can be found on the DOJ website, along with a \$22 fee.

Weapons Permitted with License:

According to Wis. Stats. s. 175.60(1)(j) "weapon" means a handgun, an electric weapon as defined in s. 941.295(1c)(a), or a billy club.

**WISCONSIN'S CARRYING CONCEALED WEAPON LAW
QUESTIONS AND ANSWERS
January 2018**

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DISCLAIMER: *This document broadly discusses—in question-and-answer format—the laws and procedures governing licenses to carry concealed weapons in Wisconsin. Every effort has been made to be as accurate as possible. However, this document does not constitute either an informal or formal opinion of the Wisconsin Attorney General, does not constitute legal advice or guidance and does not create an attorney-client relationship. It creates no rights beyond those established under the constitutions, statutes, regulations and administrative rules of the United States and the State of Wisconsin. Nor does it attempt to provide answers to every question that may arise regarding carrying concealed weapons. Many factors may affect your decision whether to apply for a license to carry concealed weapons in Wisconsin. You should review the statutes governing CCW and consult a private attorney for specific information and advice. This document only reflects the law as of the date of its publication and may be superseded or affected by other versions or changes in the law.*

**Visit the Wisconsin Department of Justice's Carry Concealed Weapons Webpage:
<https://concealedcarry.doj.wi.gov>**

CARRYING CONCEALED WEAPON LICENSE PROCESS AND REQUIREMENTS

A. Eligibility for a CCW license

Who is eligible to apply for a CCW license?

In order to obtain a CCW license, the applicant must:

- Be 21 years of age or older.
- Not prohibited from possessing a firearm under state or federal law.
- Not have been ordered as a condition of bail or release in a criminal case from possessing a dangerous weapon.
- Be a Wisconsin resident (as evidenced by a valid Wisconsin driver's license or ID card), or be active military stationed in Wisconsin.
- Have provided proof of the firearms training required for a license. (see **Training Requirement** below)

Wis. Stat. § 175.60(3)(a) through (g).

Who is prohibited from possessing a firearm under state and federal law?

1. A person **convicted of a felony in Wisconsin**. *Wis. Stat. § 941.29(1m)(a).*

Exception: The person has been pardoned of the felony and has been expressly authorized to possess a firearm under 18 USC app. 1203; or has been relieved of disabilities under 18 USC 925(c). *Wis. Stat. § 941.29(5).*

2. A person **convicted of a crime elsewhere that would be a felony if committed in Wisconsin**. *Wis. Stat. § 941.29(1m)(b).*

Exception: The person has been pardoned of the felony and has been expressly authorized to possess a firearm under 18 USC app. 1203; or has been relieved of disabilities under 18 USC 925(c). *Wis. Stat. § 941.29(5).*

3. A person **adjudicated delinquent for an act committed on or after April 21, 1994, that if committed by an adult in this state would be a felony**. *Wis. Stat. § 941.29(1m)(bm).*

Exception: A court subsequently determines pursuant to *Wis. Stat. § 941.29(8)* that the person is not likely to act in a manner dangerous to public safety.

4. A person **found not guilty of a felony in Wisconsin by reason of mental disease or defect**. *Wis. Stat. § 941.29(1m)(c).*

Exception: A court subsequently determines pursuant to *Wis. Stat. § 941.29(7)* that: 1) the person is no longer insane or no longer has a mental disease, defect or illness, AND 2) the person is not likely to act in a manner dangerous to public safety.

5. A person **found not guilty or not responsible for a crime elsewhere that would be a felony in this state by reason of insanity or mental illness, disease or defect**. *Wis. Stat. § 941.29(1m)(d).*

Exception: A court subsequently determines pursuant to *Wis. Stat. § 941.29(7)* that: 1) the person is no longer insane or no longer has a mental disease, defect or illness, AND 2) the person is not likely to act in a manner dangerous to public safety.

6. A person **committed to treatment under s. 51.20(13)(a) and ordered not to possess a**

firearm under § 51.20(13)(cv)1. *Wis. Stat. § 941.29(1m)(e)*.

Exception: The prohibition has been cancelled. *Wis. Stat. § 941.29(9)(a)*.

7. A person **ordered not to possess a firearm under any of §§ 51.20(13)(cv)1, 51.45(13)(i)1, 54.10(3)(f)1, or 55.12(10)(a) (mental health commitments)**. *Wis. Stat. § 941.29(1m)(em)*.

Exception: The court order has been cancelled. *Wis. Stat. § 941.29(9)(b)*.

8. A person **enjoined under an injunction issued under § 813.12 or 813.122 or under a tribal injunction**. *Wis. Stat. § 941.29(1m)(f)*

Exceptions: (1) Injunctions issued by the Menominee Indian tribe of Wisconsin, *Wis. Stat. § 941.29(1m)(f)*.

(2) The person is a peace officer and the person possesses a firearm while in the line of duty or, if required to do so as a condition of employment, while off duty; *Wis. Stat. § 941.29(10)(a)*

(3) The person is a member of the U.S. armed forces or national guard and the person possesses a firearm while in the line of duty. *Wis. Stat. § 941.29(10)(b)*.

(Note – the prohibition against firearm possession under this subsection does not apply to any correctional officer employed before May 1, 1982, who is required to possess a firearm as a condition of employment. This exemption applies if the officer is eligible to possess a firearm under any federal law and applies while the officer is acting in an official capacity. *Wis. Stat. § 941.29(6)*.

Under federal law the following persons are prohibited from possessing a firearm that has been shipped or transported in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce. *18 U.S.C. Ch. 44 § 922(g)(1)-(9)*.

1. A person **convicted** in any court of, **a crime punishable by imprisonment for a term exceeding one year, or a misdemeanor crime punishable by a term of imprisonment of more than two years;**
2. A person who is a **fugitive** from justice;
3. A person who is an **unlawful user of or addicted to any controlled substance** (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));
4. A person **adjudicated as a mental defective or who has been committed to a mental institution;**
5. A person who, being an **alien-**
 - A. Is **illegally or unlawfully in the United States;** or
 - B. except as provided in subsection 18 U.S.C. 44 § 922(y)(2), **has been admitted to the United States under a nonimmigrant visa** (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(26));
6. A person **discharged from the Armed Forces under dishonorable conditions;**
7. A person who, having been a citizen of the United States, has **renounced his or her citizenship;**

8. A person **subject to a court order** that-
 - A. Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;
 - B. Restrains **such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child**; and
 - C. (i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or
(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

9. A person who has been **convicted in any court of a misdemeanor crime of domestic violence**. Section 922(g)(9) of Title 18 includes a firearm prohibition for misdemeanor convictions even if state law does not specifically define the offense as domestic violence: 1) if there was use or attempted use of physical force or the threatened use of a deadly weapon and; 2) was committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

B. Application and general requirements

Where do I obtain an application form?

Online: [CCW Application Form](#)

By telephone: (608) 261-7998

By mail: Send a letter requesting an application to:

Wisconsin Department of Justice
ATTN: Firearms Unit
P.O. Box 7130
Madison, WI 53707-7130

How do I apply for a CCW license?

Submit the following to: Wisconsin Department of Justice, ATTN: Firearms Unit, P.O. Box 7130, Madison, WI 53707-7130

1. A completed application form
 - a. Note! All signatures must be original. No copies!
2. A statement stating that the information you have provided is true and complete to the best of your knowledge.
3. A check or money order for the license fee of \$30.
4. A check or money order for a background check of \$10.
 - a. Note! The license fee and background fee can be submitted as a single check or money order for \$40.
5. Proof of Training

Applicants may also apply using the Department's online CCW system available at <https://concealedcarry.doj.wi.gov>.

What happens if a check used to pay for the CCW license is returned for insufficient funds?

The applicant will be assessed a \$20 insufficient funds fee. If a license has not yet been issued the application will be deemed incomplete. If the license has been issued it will be cancelled. *Wis. Stat. § 20.905(2)*. To obtain a CCW, the applicant will need to submit a new application, proof of training, \$40 application fee and \$20 insufficient funds fee.

How long will it take to get a CCW license after I submit an application?

DOJ will either issue a license or deny the license application within 21 days of receiving the completed application. *Wis. Stat. § 175.60(9)(b)*.

The above time limits do not apply to incomplete applications.

What information is contained on a license?

- Full name.
- Date of birth.
- Residence address.
- Physical description including sex, height, and eye color.
- Date of issuance of the license.
- Date of expiration of the license.
- The name of this state.
- A unique identification number.
- A statement of the requirement to inform DOJ of any change of address within 30 days after moving and the penalty for a violation.

Wis. Stat. § 175.60(2m)(b). How long is a license good for?

Five (5) years from the date on which it was issued, unless the license is suspended or revoked. *Wis. Stat. § 175.60(15)(a)*.

What happens if my license is lost or destroyed?

A licensee may submit to the department a replacement request [form](#) requesting a replacement license, the license or any portions of the license if available, and a \$12 replacement fee. The department will issue a replacement license to the licensee within 14 days of receiving the statement and fee. *Wis. Stat. § 175.60(13)*.

What if I currently have a license or permit as a private detective or private security business?

A person employed by a private detective agency or private security firm may carry concealed **if they have a CCW license** or are qualified current or former law enforcement officers. The firearms training course required of employees of private detective agencies or private security companies meets the training requirement necessary to obtain a CCW license. *Wis. Stat. §175.60(4)(a)(d)*.

C. Training requirement

What kind of training is required to get a license?

The proof of training requirement may be met by **any** of the following:

1. A copy of a document, or an affidavit from an instructor or organization that conducted the course or program, that indicates that the individual completed any of the following:
 - a. The hunter education program established by the Department of Natural Resources (DNR) or a substantially similar program that is established by another state, country, or province and that is recognized by DNR.

- b. A firearms safety or training course that is conducted by a national or state organization that certifies firearms instructors. A model certificate is available [here](#).
 - c. A firearms safety or training course that is available to the public and is offered by a law enforcement agency.
 - d. A firearms safety or training course that is taught by an instructor who is certified by a national or state organization that certifies firearms instructors or by an instructor certified by DOJ, and that is available to the public and offered by any of the following: a technical college, a college or university, a private or public institution or organization, or a firearms training school.
 - e. A firearms safety or training course that is offered to law enforcement officers or to owners and employees of licensed private detective and security agencies.
 - f. A firearms safety or training course that is conducted by a firearms instructor who is certified by a national or state organization that certifies firearms instructors or who is certified by DOJ.
2. Documentation that the individual completed military, law enforcement, or security training that gave the individual experience with firearms that is substantially equivalent to a course or program described above.
 3. A current or expired license, or a photocopy of a current or expired license, that the individual holds or has held that indicates that the individual is licensed or has been licensed to carry a firearm in this state or in another state or in a county or municipality of this state or of another state unless the license has been revoked for cause. You must complete form [DJ-LE-289](#) from the DOJ website and include it with a copy of the license.
 4. Documentation of completion of small arms training while serving in the U.S. armed forces as demonstrated by an honorable discharge or general discharge under honorable conditions or a certificate of completion of basic training with a service record of successful completion of small arms training and certification. *Wis. Stat. § 175.60(4)(a)*.

Does the DOJ maintain a list of recommended classes or instructors?

No.

Will an on-line training course satisfy the requirements to obtain a concealed carry permit?

No.

For questions related to being a CCW trainer, please refer to the [instructor FAQ document](#).

D. Emergency license

What if I believe I have an emergency need for a CCW license?

A person who believes he/she needs a license immediately may petition a court in the county where he or she resides for an emergency license. A court may issue an emergency license if the court determines it is necessary to protect the person from death or great bodily harm unless it knows that the person is ineligible for a license. *Wis. Stat. § 175.60(9r)(a)*.

How long is an emergency license valid?

An emergency license is good for 30 days unless revoked by the court. *Wis. Stat. § 175.60(9r)(b)*.

The court shall revoke an emergency license if it determines that the person is ineligible for a

license. *Wis. Stat. § 175.60(9r)(bm)*.

An emergency license is void if the person applies for a regular license and is found ineligible to get a license. *Wis. Stat. § 175.60(9r)(c)*.

If I am issued an emergency license, must I follow the same laws, rules and restrictions as regular licensees?

Yes. Your "emergency" license does not give you a greater right to defend yourself or others, nor are you exempted from the other laws and procedures governing concealed carry during the 30-day term of your license.

E. Change of address

What happens if I move after I get a CCW license?

The law requires a licensee to notify DOJ of a change of address on the [Change of Address form](#) within 30 days of changing his or her address. *Wis. Stat. §175.60(11)(b)1*.

If you request a replacement license containing the new address you must include a check or money order in the amount of \$12 made payable to the Wisconsin Department of Justice. *Jus 17.12(3)*.

Licensees may also use the Department's [online CCW system](#) to notify the Department of a change of address or request a replacement address.

If you do not update your address information with the Department, you will not receive your renewal information, user identification number requests, or correspondence from the Department regarding the status of your license.

F. Change of name

What happens if I change my legal name?

If you change your legal name, within 30 days you must notify the DOJ of the change. A [change of name form](#) is available on the DOJ [website](#). Submit the form to the Department with a check or money order in the amount of \$22 made payable to the Wisconsin Department of Justice. *Jus 17.08(2)*

G. Former law enforcement officers

Is there a different procedure to get a LEOSA certification card for a former state or federal law enforcement officer?

Yes. However, such former officers may also obtain a regular CCW license. For information specific to former law enforcement officer certification cards, please refer to the Certification FAQ which can be found on [WILENET](#).

H. Appeal of license denial

What are my rights if my license application is denied?

If DOJ denies a completed application, DOJ must inform the applicant in writing, stating the reason for the denial. *Wis. Stat. § 175.60(9)(b)2*. The denial must be completed within 21 days for completed applications. *Wis. Stat. § 175.60(9)(b); Wis. Act 35, § 100(2)*. **These time limits do not apply to incomplete applications.**

DOJ has [rules](#) that provide for the administrative review of any action by DOJ that denies a license application or suspends or revokes a license. *Wis. Stat. § 175.60(14g)*.

A person whose license has been denied, suspended, or revoked by DOJ may also appeal directly to the circuit court of the county in which the individual resides. *Wis. Stat. § 175.60(14m)(a) and (b)*.

A court appeal must be initiated by filing a petition for review within 30 days of receiving notice of the denial, revocation or suspension. *Wis. Stat. § 175.60(14m)(b)*.

I. Penalties for false information

What if someone provides false information on a CCW license application?

A person who submits false information may be committing a crime. *Wis. Stat. §§ 175.60(7)(b) and (15)(b)2* require applicants to state that the information the applicant is submitting is true and complete to the best of his or her knowledge.

J. Updates on license qualification

Is information on eligibility to have a CCW license updated?

Yes. Clerks of court are required to notify DOJ of felony convictions and other bases for license disqualification. DOJ will check that information with the list of CCW licensees and, if applicable, either revoke or suspend the license. *Wis. Stat. § 175.60(11)*.

A person who becomes disqualified from possessing a firearm may be prosecuted for such conduct regardless of whether their CCW license has been suspended or revoked.

K. Reciprocity with other states

Does a Wisconsin license allow me to carry concealed in another state?

Maybe. Whether another state will recognize a Wisconsin CCW license is governed by the law of the other state. A Wisconsin CCW licensee should always contact the particular state where they wish to carry concealed for information on the laws of that state.

OUT-OF-STATE LICENSES

Do I need a Wisconsin license if I already have a CCW license from another state?

Yes. If you are a Wisconsin resident. An out-of-state licensee is defined as an individual with an out-of-state CCW license who is 21 years of age or over, and **who is not a Wisconsin resident**. *Wis. Stat. § 175.60(1)(g)*. Therefore, if you currently reside in Wisconsin and have a CCW license or permit issued by another state, your out-of-state license is not legally sufficient to carry concealed in Wisconsin and you must qualify for and obtain a Wisconsin CCW license in order to carry concealed in Wisconsin.

However, training obtained under the training requirement of another state may be sufficient to meet Wisconsin's firearms training requirement.

If I am visiting Wisconsin from another state and I have a CCW license from that state, is it okay for me to carry concealed in Wisconsin?

Maybe. DOJ has established a [list of states](#) that issue a CCW license or permit that either

requires **or** designates that the holder of the license or permit chose to submit to a background check that is comparable to the check conducted under Wisconsin law. *Wis. Stat. § 165.25(12)*. A person who possesses a CCW license or permit from one of the states designated may carry concealed in Wisconsin. *Wis. Stat. § 175.60(1)(f) and (2g)(a)*.

What type of out-of-state license is acceptable?

It must be a valid permit, license, approval or other authorization issued by another state if all of the following apply:

- If the permit, license, approval or other authorization is for the carrying of a concealed weapon. *Wis. Stat. § 175.60(1)(f)1*.
- The state is **listed by rule** under *Wis. Stat. § 165.25(12)*. *Wis. Stat. § 175.60(1)(f)2; 165.25(12)*.
- The holder must be over the age of 21. *Wis. Stat. § 175.60(1)(g)*.
- The holder must not be a Wisconsin resident. *Wis. Stat. § 175.60(1)(g)*.

If I am not a Wisconsin resident can I get a Wisconsin license?

No. Only Wisconsin residents may get a Wisconsin CCW license. *Wis. Stat. § 175.60(3)(g)*. However, as noted above, a person who has a CCW license from another state that is recognized by Wisconsin may be allowed to carry concealed in Wisconsin.

What rules on carrying concealed must a CCW licensee from another state follow?

If the out-of-state CCW licensee is from a state that issues CCW licenses or permits recognized by Wisconsin and thus legally able to carry concealed in Wisconsin, the person must comply with all Wisconsin legal requirements.

That includes, while carrying a concealed weapon, also carrying the out-of-state license or permit as well as a driver's license or state ID card that is substantially equivalent to Wisconsin licenses or cards. *Wis. Stat. § 175.60(1)(h)*.

Does a Wisconsin license allow me to carry concealed in another state?

Maybe. Whether another state will recognize a Wisconsin CCW license is governed by the law of the other state. A Wisconsin CCW licensee should always contact the particular state where they wish to carry concealed for information on the laws of that state.

REVOCATION, SUSPENSION AND RENEWAL OF CCW LICENSE

How can a license be revoked?

A license can be revoked if the license holder is no longer legally eligible to possess a concealed weapon. For example, where a person becomes unable to possess a firearm due to a felony conviction, the person becomes subject to an injunction prohibiting weapons possession, the person is no longer a Wisconsin resident, etc. *Wis. Stat. § 175.60(14)(a)*.

NOTE: It is unlawful to possess a firearm if you are prohibited from doing so by law (e.g. a felony conviction) even if your CCW license has not been formally revoked.

How can a license be suspended?

A license can be suspended if a court has prohibited a license holder from possessing a dangerous weapon as a condition of bail. *Wis. Stat. § 175.60(14)(am)*. If you cease to be subject to this prohibition, you may submit authenticated documentation establishing that fact to the above address along with a check or money order payable to the Wisconsin Department of Justice in the amount of \$22 to conduct a new background check pursuant to Jus

17.07(2)(b) and 17.12(2). In such a case the license will be restored within 5 business days of notification that the bail condition no longer applies. **NOTE: It is unlawful to possess a firearm if you are prohibited from doing so by law (e.g. condition of bail) even if your CCW license has not been formally suspended.**

When do suspensions or revocations take effect?

DOJ is required to send by mail notice of the revocation or suspension to the licensee within one day after the revocation or a suspension. § 175.60(14)(b)1. The suspension or revocation takes effect when the individual receives that notice. *Wis. Stat. § 175.60(14)(b)2.*

What must a person do when they received a notice of suspension or revocation?

The person must, within 7 days of receiving notice that their license has been suspended or revoked, do one of the following: 1) deliver the license personally or by certified mail to DOJ, or 2) mail a signed statement to DOJ stating that he or she no longer has possession of the license and stating the reasons why he or she no longer has possession. *Wis. Stat. § 175.60(14)(b)3.*

An intentional failure to do so may result in a fine of not more than \$500 and imprisonment for not more than 30 days or both. *Wis. Stat. § 175.60(17)(b).*

Is there an appeal process for a revocation or suspension?

Yes. DOJ has [rules](#) that provide for the administrative review of any action by DOJ that denies a license application or suspends or revokes a license. *Wis. Stat. § 175.60(14g).*

A person whose license has been denied, suspended or revoked by DOJ may also appeal directly to the circuit court of the county in which the individual resides without regard to whether the individual has sought review under DOJ's review process. *Wis. Stat. § 175.60(14m)(a) and (b).*

A court appeal must be initiated by filing a petition for review within 30 days of receiving notice of the denial, revocation, or suspension. *Wis. Stat. § 175.60(14m)(b).*

How do I renew a CCW license?

At least 90 days before the expiration date of a license, DOJ will mail to the licensee a notice of expiration. *Wis. Stat. § 175.60(15)(b).* This notice will include a unique identification number (separate from the license number) that is used to access the [online CCW system](#). A licensee may use the online system to renew their license or they may obtain a paper renewal form by downloading one from the [Department's web page](#), requesting a form in writing or by calling the Department's CCW Helpdesk at (608) 261-7998.

The license will be renewed if, no later than 90 days after the expiration date of the license, the licensee does all of the following:

1. Submits a renewal application on the form provided by DOJ.
2. Submits a statement reporting that the information provided on the application form is true and complete to the best of his or her knowledge and that he or she is not disqualified under § 175.60(3).
3. Pays a renewal fee in an amount to be determined by DOJ, but not to exceed \$12.
4. Pays a fee for a background check that is equal to the fee under § 175.35(2i). [Currently, this fee is \$10.]

Wis. Stat. § 175.60(15)(b).

DOJ will issue a renewal license within 21 days of receiving the renewal application, statement and fees. *Wis. Stat. § 175.60(15)(d)*.

What if my renewal application is denied?

See **APPEAL OF LICENSE DENIAL**.

LICENSED CCW REQUIREMENTS

What type of weapons can I carry with a CCW license?

The license is for a “weapon”, which is defined as a handgun, an electric weapon as defined in § 941.295(1c)(a), or a billy club. *Wis. Stat. § 175.60(1)(j)*.

A handgun does not include a machine gun, a short barreled rifle or a short barreled shotgun. *Wis. Stat. 175.60(1)(bm)*.

Long guns (rifles, shotguns) may not be carried concealed.

Do I need to carry my license with me at all times?

Yes, a licensee or an out-of-state licensee who is carrying a concealed weapon must have with him or her their valid license document **and** photographic identification card unless the concealed weapon is being carried in the licensee’s dwelling or place of business or on land that he or she owns, leases, or legally occupies. *Wis. Stat. § 175.60(2g)(b)*.

What kind of photo ID is required?

A photo ID means either a current and valid Wisconsin drivers license or a current and valid driver’s license from another state (for out-of-state licensees) that is substantially equivalent to a Wisconsin driver’s license. *Wis. Stat. § 175.60(1)(h)1 and 2*.

OR

a current and valid Wisconsin state identification card or a current and valid identification card issued by another state that is substantially equivalent to a Wisconsin identification card. *Wis. Stat. § 175.60(1)(h)1 and 2 and (i)*.

A license or ID card is current and valid if it is not expired, cancelled, denied, surrendered, or voided, and the holder is still a resident of the state. However, a license or ID card may be considered current and valid even if the holder’s motor vehicle operating privilege is revoked, suspended, or disqualified, as long as the card is not expired, cancelled, denied, surrendered, or voided, and the holder is still a resident of the state.

Do I have to show anyone my CCW license?

A licensee or out-of-state licensee who is carrying a concealed weapon must display the license and photo identification to a **law enforcement officer upon the request of the law enforcement officer** while the law enforcement officer is acting in an official capacity and with lawful authority. *Wis. Stat. § 175.60(2g)(c)*.

Failure to display the license to a law enforcement officer is a \$25 forfeiture. *Wis. Stat. § 175.60(17)(a)*.

What is the penalty for not carrying or displaying a CCW license and photo ID?

A person who does not carry or display a CCW license and photo ID as required may be ordered to forfeit not more than \$25 except that the a person is exempt from this penalty if he or she presents, within 48 hours of the request, his or her license document and photographic identification to the law enforcement agency who employs the officer who lawfully requested the documents. *Wis. Stat. § 175.60(17)(a)*.

What should I do if I have a CCW license and I have contact with a law enforcement officer while in possession of a concealed weapon?

While the law does not impose any specific requirements other than displaying a photo ID and CCW license upon request of a law enforcement officer, there are some recommendations when you have contact with a law enforcement officer. Such a situation could be a traffic stop, an officer approaching you for information, or you requesting assistance from an officer. If you have a CCW license and you have contact with a law enforcement officer while carrying a concealed weapon, you should do the following:

1. Immediately tell the officer that you have a CCW license, you're carrying a concealed weapon and where it's located.
2. Keep your hands where the officer can see them.
3. Cooperate fully with the officer.
4. Don't make any quick movements, especially toward the weapon.
5. If you're in a vehicle:
 - a. Roll down your window and place your hands in plain view on the steering wheel.
 - b. If it is at night, turn on the vehicle's dome light.
 - c. Calmly tell the officer you have a CCW license and that you have a weapon with you.
 - d. Ask the officer if they have particular instructions concerning the weapon.
 - e. Do not touch or attempt to touch the weapon unless specifically told to do so by the officer.
 - f. Do not leave your vehicle unless specifically told to do so by the officer.

In certain circumstances, a law enforcement officer may ask to take temporary possession of the weapon or may seize the weapon during interaction with the individual to ensure the safety of the officer and others or to secure the weapon as evidence. The officer will return the weapon at the end of the stop unless the individual is placed under arrest for a violation of the law that allows the weapon to be seized.

USE OF A WEAPON BY A PERSON HOLDING A CCW LICENSE

Does having a CCW license give me a greater right to defend myself or others than anyone else?

No. A CCW license does not give anyone any new or additional rights to exercise self defense or defense of others as provided for by law.

A brief summary of Wisconsin law is as follows:

A person is privileged to threaten or intentionally use force against another for the purpose of preventing or terminating what the person reasonably believes to be an unlawful interference with his or her person by such other person. The actor may intentionally use only such force or threat thereof as the actor reasonably believes is necessary to prevent or terminate the interference. The actor may not intentionally use force which is intended or likely to cause death or great bodily harm unless the actor reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or herself. *Wis. Stat. § 939.48(1)*.

A person who provokes an attack, whether by lawful or unlawful conduct, with intent to use

such attack as an excuse to cause death or great bodily harm to his or her assailant is not entitled to claim the privilege of self-defense. *Wis. Stat. § 939.48(2)(c)*.

A person is privileged to defend a 3rd person from real or apparent unlawful interference by another under the same conditions and by the same means as those under and by which the person is privileged to defend himself or herself from real or apparent unlawful interference, provided that the person reasonably believes that the facts are such that the 3rd person would be privileged to act in self-defense and that the person's intervention is necessary for the protection of the 3rd person. *Wis. Stat. § 939.48(4)*.

There is both a subjective component to self-defense-that is, a person must actually believe he or she was preventing or terminating an unlawful interference; and an objective threshold component-that is, the belief must be reasonable. *State v. Hampton*, 207 Wis.2d 367, 380-81, 558 N.W.2d 884 (Ct. App. 1996). The reasonableness of the belief is judged from the position of a person of ordinary intelligence and prudence in the same situation. *Hampton*, 207 Wis. 2d at 381.

There is no privilege to resist an unlawful arrest. *State v. Hobson*, 218 Wis. 2d 350, 380-81, 577 N.W.2d 825 (1997).

Are laws that prohibit the discharge of firearms in a city, village or town still valid?

Yes. Under current law, a city, village, or town exercising village powers may, by ordinance or resolution, restrict the discharge of a firearm. Current law also prohibits discharging a firearm near certain parks, from a vehicle, from or across a highway, or in or from an aircraft.

However, **such ordinances do not apply if** the person's conduct is justified or privileged. (e.g., was under circumstances of coercion or necessity or was in self- defense). *Wis. Stat. § 66.0409(3)(b)*.

CCW AND OPEN CARRY

Does CCW licensure affect my ability to openly carry a firearm?

No. The CCW licensure statute does not limit an individual's right to carry a firearm that is not concealed. *Wis. Stat. § 175.60(2)(c)*.

Are there any locations where it is illegal to openly carry a firearm or any weapon?

Yes. It is unlawful for anyone (except for law enforcement), including persons with a CCW license, to knowingly carry an unconcealed weapon (firearm, electric weapon, or a billy club) in the following locations:

- Any portion of a building that is a police station, sheriff's office, state patrol station, or the office of a Division of Criminal Investigation special agent of DOJ.
- Any portion of a building that is a prison, jail, house of correction, or secured correctional facility.
- The Sand Ridge Secure Treatment Center, the Wisconsin Resource Center, or any secured unit or secured portion of a mental health institution, including a facility designated as the Maximum Security Facility at the Mendota Mental Health Institute.
- Any portion of a building that is a county, state, or federal courthouse.
- Any portion of a building that is a municipal courtroom if court is in session.
- A place beyond a security checkpoint in an airport.
- School grounds and premises:

No one, including a CCW licensee may carry a firearm in or on the grounds of a school

unless another specific statutory exception applies. *Wis. Stat. § 948.605(2)(b)1r.*

No one, including a CCW licensee may carry any other dangerous weapon on school premises unless a specific statutory exception applies. *Wis. Stat. § 948.61(2) and (3).*

Also see: **POSSESSION OF FIREARMS AND OTHER WEAPONS ON SCHOOL PROPERTY.**

- Persons who do not have a CCW permit may not carry a handgun in a tavern and those persons with a CCW license may carry a concealed handgun in a tavern only if NOT consuming alcohol. *Wis. Stat. § 941.237(3)(cx).*
- **Federal law applies to the possession of firearms and weapons on US government property.**

Are there some weapons that cannot be carried openly?

Yes, illegal weapons (*Wis. Stat. § 941.28*) (unless a specific possession exception under the statute applies).

It is also unlawful for a person who does not have a CCW license to openly carry an **electric weapon.**

Does the open or concealed carry of a firearm constitute disorderly conduct?

Generally no. Unless the facts and circumstances indicate a malicious or criminal intent, a person may not be charged with an ordinance or criminal offense of disorderly conduct for going armed with a concealed or openly carried firearm. *Wis. Stat. §§ 947.01(2) and 66.0409(6).*

Can I carry a firearm, concealed or open, in a tavern?

No one may possess a handgun in a tavern unless they are a law enforcement officer, a correctional officer in the line of duty, a member of the US armed forces or national guard in the line of duty, a private security person meeting certain criteria, the tavern licensee, owner or manager or their authorized employee or agent, or have a CCW license or valid out of state license. *Wis. Stat. § 941.237(2) and (3)(a)-(cx).*

A peace officer, a Wisconsin CCW licensee, a qualified out-of-state licensee, a qualified out-of-state law enforcement officer and a former law enforcement officer **can carry a concealed handgun** in a tavern and a CCW licensee and authorized out-of-state CCW licensee can carry a concealed handgun in a tavern **only if they are not consuming alcohol on the premises.** *Wis. Stat. § 941.237(3)(cr), (ct), and (cx).*

It is illegal for a person who does not possess a CCW license to carry a concealed handgun in a tavern. *Wis. Stat. § 941.237(2).* This prohibition does not apply to an unloaded and encased handgun in a vehicle in a parking lot, a private or public gun or sportsmen's range or club or if possession of a handgun is authorized by the owner or manager of a Class B license or permit premises for a specific event of a limited duration. *Wis. Stat. § 941.237(3)(e) to (j).*

However, it is a class A misdemeanor (punishable by 9 months jail and/or \$10,000 fine) **for anyone to go armed with a firearm while under the influence of an intoxicant.** *Wis. Stat. § 941.20(1)(b).* "Under the Influence has been defined as materially impairing the ability to handle a firearm which is further explained as consuming an amount of alcohol to cause the person to be less able to exercise clear judgment and steady hand necessary to handle a firearm. *WI Jury Instruction-CRIMINAL 1321.*

In addition, a tavern owner may prohibit anyone from carrying a firearm in their business. See **RESTRICTIONS BY BUSINESSES AND PROPERTY OWNERS.**

A tavern is any establishment, other than a private or fraternal organization, in which alcohol beverages are sold for consumption on the premises. Wis. Stat. § 941.237(1)(fm) and (3)(cx).

ELECTRIC WEAPONS (STUN GUNS) AND CCW

Has the law changed regarding electric weapons?

Yes. Prior law made it a felony for anyone, other than law enforcement, correctional officers and military personnel acting in the line of duty from possessing an electric weapon. Under the CCW laws, the prohibition against possessing or going armed with an electric weapon does not apply to any of the following:

- A CCW licensee or an out-of-state licensee.
- An individual who goes armed with an electric weapon in his or her own dwelling or place of business or on land that he or she owns, leases, or legally occupies.

Wis. Stat. § 941.295(2g).

The prohibition against transporting an electric weapon does not apply to any of the following:

- A licensee or an out of state licensee.
- An individual who is not a licensee or out-of-state licensee who transports an electric weapon if the electric weapon is enclosed within a carrying case.

Wis. Stat. § 941.295(2r).

Can I carry an electric weapon concealed if I have a CCW license?

Yes. See above.

Are there other persons who can legally carry an electric weapon?

Yes. In addition to licensees and out-of-state licensees, peace officers, correctional officers and armed forces/national guard personnel while on official duty, manufacturers and sellers to authorized persons and a common carrier may also carry electric weapons. Wis. Stat. § 941.295(2)(a) to (e).

Can I carry an electric weapon concealed if I do not have a CCW license?

If you are not specifically allowed to carry an electric weapon (see above) you are only allowed to carry an electric weapon in your own dwelling or place of business or on land that you own, lease, or legally occupy. Wis. Stat. § 941.295(2g). You may also transport the weapon if it is enclosed within a carrying case. Wis. Stat. § 941.295(2r). The possession or carrying of an electric weapon in any other situations is a felony. Wis. Stat. § 941.295(1m).

Can a qualified out-of-state law enforcement officer or former law enforcement officer carry an electric weapon?

No. The statute does not provide an exception for an out-of-state law enforcement officer or former law enforcement officer. However, the exceptions for possessing on a dwelling or place of business or on land that such a person owns, leases, or legally occupies apply as does the exception for transporting (see below).

Is it unlawful to sell or manufacture electric weapons in Wisconsin?

A person may manufacture and sell electric weapons to authorized persons which includes a peace officer, armed forces or national guard personnel while on official duty, a person with a Wisconsin CCW license or out-of-state CCW licensee, or a person for use in his or her home or business that they own. *Wis. Stat. § 941.295(2)(d)*. A violation of this statute is a felony. *Wis. Stat. § 941.295(1m)*.

RESTRICTIONS BY EMPLOYERS

Can an employer prohibit employees from carrying concealed weapons on the job?

Yes. An employer may prohibit an employee from carrying a concealed weapon or a particular type of concealed weapon in the course of the employee's employment or during any part of the course of the employee's employment. *Wis. Stat. § 175.60(15m)(a)*.

Does that prohibition apply to my car or the employer's parking lot?

No. An employer may not prohibit a person with a CCW license, as a condition of employment, from carrying a concealed weapon, a particular type of concealed weapon, or ammunition or from storing a weapon, a particular type of weapon, or ammunition in the licensee's own motor vehicle, regardless of whether the motor vehicle is used in the course of employment or whether the motor vehicle is driven or parked on property used by the employer. *Wis. Stat. § 175.60(15m)(b)*.

If an employer allows the carrying of concealed weapons and someone is injured or killed as a result of a license holder using the weapon, is the employer legally liable?

Generally no. However, there may be circumstances where such liability may exist and a discussion of such situations is beyond the scope of this brief legal summary.

The law provides:

- A person who does not prohibit an individual from carrying a concealed weapon on property that the person owns or occupies is immune from any liability arising from his or her decision. *Wis. Stat. § 175.60(21)(b)*.
- An employer who does not prohibit one or more employees from carrying a concealed weapon is immune from any liability arising from that decision. *Wis. Stat. § 175.60(21)(c)*.
- A person providing a firearms training course in good faith is immune from liability from any act or omission related to the course if the course is one of the courses listed in statute. *Wis. Stat. § 175.60(21)(d)*.

RESTRICTIONS BY BUSINESSES AND PROPERTY OWNERS

Can a business or property owner limit or prohibit the carrying of concealed weapons on its premises?

Yes. With regard to private property, with very few exceptions, the owner of the property sets the rules. The owner is well within his or her rights to say no weapons, or no concealed weapons, or any other rules the owner sees fit.

Special events (e.g. sporting events, concerts, etc):

It is unlawful for any person to enter or remain at a special event if the organizers of the special event have notified the actor not to remain at the special event while carrying a firearm or with that type of firearm. The provision does not apply if the firearm is in a vehicle driven or parked in the parking facility, to any part of the special event grounds or building that is used as a parking facility. The law defines special event as an event that is open to the public, is for a

duration of not more than three weeks, and either has designated entrances to and from the event that are locked when the event is closed or requires an admission. *Wis. Stat. § 943.13(1m)(c)3.*

Private university or college:

It is unlawful for any person to enter or remain in any **privately or publicly owned** buildings on the grounds of a university or college, **if** the university or college has notified the person not to enter or remain in the building while carrying a firearm or with that type of firearm. This provision does not apply to a person who leases residential or business premises in the building or, if the firearm is in a vehicle parked in the parking facility. *Wis. Stat. § 943.13(1m)(c)5.*

If a private business or property owner allows the carrying of concealed weapons and someone is injured or killed as a result of a license holder using the weapon, is the employer or property owner legally liable?

Generally no. However, there may be circumstances where such liability may exist and a discussion of such situations is beyond the scope of this brief legal summary.

The law provides:

- A person who does not prohibit an individual from carrying a concealed weapon on property that the person owns or occupies is immune from any liability arising from his or her decision. *Wis. Stat. § 175.60(21)(b).*
- An employer who does not prohibit one or more employees from carrying a concealed weapon is immune from any liability arising from that decision. *Wis. Stat. § 175.60(21)(c).*
- A person providing a firearms training course in good faith is immune from liability from any act or omission related to the course if the course is one of the courses listed in statute. *Wis. Stat. § 175.60(21)(d).*

RESTRICTIONS BY GOVERNMENTS AND PUBLIC COLLEGES AND UNIVERSITIES

Are there restrictions on carrying in state and local government buildings?

Yes. In some locations the carrying of concealed weapons is **absolutely prohibited** (see section entitled **LOCATIONS WHERE CCW IS PROHIBITED** below).

In other places government entities and agencies **MAY** prohibit CCW if appropriate notice is given.

Also see **NOTICE OF REFUSAL OF RIGHT TO CARRY CONCEALED** for details on the **type of notice required.**

State or local government buildings:

It is unlawful for any person to enter or remain in **any part of a building that is owned, occupied, or controlled by the state or any local governmental unit** if the state or local governmental unit has notified the person not to enter or remain in the building while carrying a firearm or a type of firearm. This provision does not apply to a person who leases residential or business premises in the building or, if the firearm is in a vehicle driven or parked in a parking facility, to any part of a building used as a parking facility. *Wis. Stat. § 943.13(1m)(c)4.*

NOTE: FEDERAL LAW APPLIES TO THE CARRYING OF FIREARMS ON FEDERAL PROPERTY.

Are there restrictions on carrying on public colleges or universities?

State university or college:

It is unlawful for any person to enter or remain in any privately or **publicly owned**

buildings on the grounds of a university or college, if the university or college has notified the actor not to enter or remain in the building while carrying a firearm or with that type of firearm. The provision does not apply to a person who leases residential or business premises in the building or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the building used as a parking facility. *Wis. Stat. § 943.13(1m)(c)5.*

Also see **NOTE** to preceding question and answer.

Can government prohibit the carrying of a concealed weapon in parks or other public lands?

No. The restrictions above only apply to government buildings. Persons with a CCW license may carry concealed on public lands. *Wis. Stat. § 943.13(1m)(c)2 and § 943.13(1e)(cm).* **Note that federal law applies to federal property.**

Several existing prohibitions on carrying firearms on public lands (wildlife refuges, state parks and fish hatcheries) have been changed.

- The law prohibiting the possession of a firearm unless it is unloaded or encased in a **state wildlife refuge** does not apply to a licensee or an out-of state licensee if the firearm is a handgun, or to a law enforcement officer, a qualified out-of-state law enforcement officer, or a former officer if they meet certain conditions. *Wis. Stat. §§ 29.091(1) and (2); 29.621(4).* **Note that federal law applies to federal property.**
- The law prohibiting the possession or under one's control a firearm on land located in **state parks or state fish hatcheries** unless the firearm is unloaded and in a carrying case does not apply to a licensee or an out-of state licensee if the firearm is a handgun, or to a law enforcement officer, a qualified out-of-state law enforcement officer, or a former officer if they meet certain conditions. *Wis. Stat. § 29.089(2)(a)- (d).* **Note that federal law applies to federal property.**
- As of February 22, 2010, it became legal for persons to carry firearms in any unit of the National Park System or the National Wildlife Refuge System **IF**
 - the individual is not otherwise prohibited by law from possessing the firearm; and
 - the possession of the firearm is in compliance with the law of the State in which the unit of the National Park System or the National Wildlife Refuge System is located.

16 USC § 1a-7b.

However, federal law also prohibits firearms in certain facilities in parks and Wildlife refuges (such as visitor centers, government offices, etc.). The law also does not allow the concealed carry of other weapons. Persons wishing to carry firearms or other weapons on federal lands should contact the appropriate federal agency for information on federal law.

POSSESSION OF FIREARMS AND OTHER WEAPONS ON SCHOOL PROPERTY

The new CCW statute repeals or restates portions of prior law regarding possessing a firearm in a school zone. The statute also differentiates between possession of a firearm in or on school grounds and possession within 1,000 feet of school grounds.

A. Firearms

Are there restrictions on carrying a firearm on school property?

Yes. It is a **felony** for a person to knowingly **possess** a **firearm** (concealed or otherwise) on the **grounds** of a school. *Wis. Stat. § 948.605(2)(a).*

It is a **forfeiture** for a person to knowingly possess a firearm (concealed or otherwise) at a place that the person knows or has reasonable cause to believe is **within 1,000 feet of the**

grounds of a school. *Wis. Stat. § 948.605(2)(a)*.

What are the exceptions?

There are a number of exceptions to the restrictions on possessing a firearm in or on school grounds or within 1,000 feet of school grounds.

It is lawful to possess a firearm **in or on the grounds of a school or within 1,000 feet of the grounds of a school** as follows:

- On private property that is not part of school grounds. *Wis. Stat. § 948.605(2)(b)1m and 18 USC 922(q)(2)(B)(i)*.
- For use in a program approved by a school in the school zone. *Wis. Stat. § 948.605(2)(b)1m and 18 USC 922(q)(2)(B)(iv)*.
- In accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual. *Wis. Stat. § 948.605(2)(b)1m and 18 USC 922(q)(2)(B)(v)*.
- By a law enforcement officer acting in his or her official capacity. *Wis. Stat. § 948.605(2)(b)1m and 18 USC 922(q)(2)(B)(vi)*.
- The firearm is unloaded and is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on the school premises is authorized by school authorities. *Wis. Stat. § 948.605(2)(b)1m and 18 USC 922(q)(2)(B)(vii)*.
- The firearm is not loaded and is encased or in a locked firearms rack that is on a motor vehicle. *Wis. Stat. § 948.605(2)(b)3a and b*.
- By a state-certified commission warden acting in his or her official capacity. *Wis. Stat. § 948.605(2)(b)2m*.
- By a person legally hunting in a school forest if the school board has decided that hunting may be allowed in the school forest. *Wis. Stat. § 948.605(2)(b)3m*.
- **A person who is a CCW licensee or out-of-state CCW licensee may possess a firearm within 1,000 feet of the grounds of a school, but not in or on school grounds.** *Wis. Stat. § 948.605(2)(b)1r*.

Can a person with a CCW license or out-of-state CCW license carry a concealed weapon in or on school grounds?

As noted above, no. The law does not allow a CCW licensee to carry a firearm, concealed or openly displayed, in or on school grounds unless one of the other statutory exceptions listed above exists and then only when in compliance with those exceptions. *Wis. Stat. § 948.605(2)(b)1r*.

What is the definition of a school?

School is defined as a public school, parochial or private school, or tribal school, as defined in s. 115.001(15m), which provides an educational program for one or more grades between grades 1 and 12 and which is commonly known as an elementary school, middle school, junior high school, senior high school, or high school. *Wis. Stat. §§ 948.605(1)(b), 948.61(1)(b)*.

What are the rules for public and private colleges and universities?

See: **[RESTRICTIONS BY GOVERNMENTS AND PUBLIC COLLEGES AND UNIVERSITIES](#)**
[and RESTRICTIONS BY BUSINESSES AND PROPERTY OWNERS](#).

Are there any other limits on firearms in school zones?

Yes. It remains a felony for any who knowingly, or with reckless disregard for the safety of others, to discharge or attempt to discharge a firearm at a place the person knows is in or on

or within 1,000 feet of school grounds unless:

- On private property not part of school grounds.
- For use in a program approved by a school in the school zone by an individual participating in the program.
- By an individual in accordance with a contract entered into between a school in a school zone and the individual or an employer of the individual.
- By a law enforcement officer or state certified commission warden acting in his or her official capacity.

Wis. Stat. 948.605(3)(a) and (b).

B. Other Weapons

Are there limits on possessing other weapons on school premises?

Yes. It is a crime to possess a dangerous weapon (other than a firearm or BB or pellet gun) on or in any school building, school grounds, recreation area, athletic field or any other property owned, used or operated for school administration. *Wis. Stat. § 948.61.*

School is defined as a public, parochial or private, or tribal school that provides educational programs for one or more grades between grades 1 and 12 (elementary, middle, junior high and high school). *Wis. Stat. 948.61(1)(b).*

What are the exceptions?

The following are **exceptions** to the prohibition on possessing dangerous weapons on school premises by the following persons:

- A person who uses a weapon solely for school sanctioned purposes. *Wis. Stat. § 948.61(3)(a).*
- A person who engages in military activities sponsored by the federal or state government when acting in the discharge of his or her official duties. *Wis. Stat. § 948.61(3)(b).*
- A person who is a law enforcement officer or state certified commission warden acting in the discharge of his or her official duties. *Wis. Stat. § 948.61(3)(c).*
- A person who is participating in a convocation authorized by school authorities in which weapons of collectors or instructors are handled or displayed. *Wis. Stat. § 948.61(3)(d).*
- A person who drives a motor vehicle in which a dangerous weapon is located onto school premises for school sanctioned purposes or for the purpose of delivering or picking up passengers or property if the weapon is not removed from the vehicle or used in any way. *Wis. Stat. § 948.61(3)(e).*
- A person who possesses or uses a bow and arrow or knife while legally hunting in a school forest if the school board has decided that hunting may be allowed in the school forest. *Wis. Stat. § 948.61(3)(f).*

Can a person with a CCW license carry a concealed weapon other than a firearm on school premises?

Generally no, unless the licensee falls within one of the exceptions listed above.
Wis. Stat. § 948.61(2) and (3).

NOTICE OF REFUSAL OF RIGHT TO CARRY CONCEALED

While the specific statutory sections of the new law as noted above, only reference notices regarding firearms, property owners possess the general right to limit or condition access to their property. This would include prohibitions or limits on possessing dangerous weapons other than firearms. Therefore, the sign requirements discussed below can provide a reasonable basis for providing notice to persons of any

weapons restrictions.

What kind of notice must be given to a CCW license holder regarding any prohibitions on carrying concealed weapons?

Notice of statutorily prohibited locations is provided by statute and to the licensee on the license application and no other notice or sign is required for those locations.

Notice for other locations can be provided **verbally or in writing or if the land is posted by a sign** meeting certain criteria. *Wis. Stat. § 943.13(2)(am)*

Where are signs required?

For non single family residences (e.g. apartment, condos, etc): A sign must be located in a prominent place near all of the entrances to the part of the building to which the restriction applies **or** near all probable access points to the grounds to which the regulation applies and the individual entering the building or grounds can be reasonably expected to see the sign. *Wis. Stat. § 943.13(2)(bm)2.a.*

For non-residential buildings, state or governmental property or university or college: A sign 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. *Wis. Stat. § 943.13(2)(bm)2.b.*

For the grounds of a nonresidential building or land: A sign must be posted in a prominent place near all probable access points to the grounds or land to which the restriction applies and any individual entering the grounds or land can be reasonably expected to see the sign. *Wis. Stat. § 943.13(2)(bm)2.am.*

For special events: A sign must be posted in a prominent place near all of the entrances to the special event and the individual attending the special event can be reasonably expected to see the sign. *Wis. Stat. § 943.13(2)(bm)2.c.*

For posting land: A sign must be posted that is located in a prominent place near all probable access points to the grounds or land to which the restriction applies and any individual entering the grounds or land can be reasonably expected to see the sign. *Wis. Stat. § 943.13(2)(bm)2b.*

How big of a sign must be used?

A sign that states the restriction on carrying a firearm must be at least five inches by seven inches. *Wis. Stat. § 943.13(2)(bm)1.*

What must the sign say?

In regard to posting land, the law only provides that the sign must provide an appropriate notice and the name of the person giving the notice (listing self as either the owner or occupant). *Wis. Stats. § 943.13(2)am1.* In regard to other locations the sign must simply state the restriction imposed. *Wis. Stats. § 943.13(2)(bm)1.* At a minimum the sign must inform people that weapons or firearms are prohibited. There are a number of messages that would meet the standard and the ultimate purpose of the sign is to put individuals on notice of the prohibition or limitation.

PROHIBITED CONDUCT FOR ANYONE POSSESSING A WEAPON

The CCW statutes do not, except where noted elsewhere, change any other existing laws governing the

conduct of individuals and the use of weapons. For example, the following conduct is still prohibited:

Disorderly conduct. Where the facts and circumstances indicate a malicious or illegal intent a person may be prosecuted for loading, carrying, or going armed with a firearm. *Wis. Stat. § 947.01(1) and (2).*

Carrying a concealed firearm while intoxicated. It is a class A misdemeanor (9 months jail and/or \$10,000 fine) for someone to go armed while under the influence of an intoxicant. *Wis. Stat. § 941.20(1)(b).* "Under the Influence has been defined as materially impairing the ability to handle a firearm which is further explained as consuming an amount of alcohol to cause the person to be less able to exercise clear judgment and steady hand necessary to handle a firearm. *WI Jury Instruction-CRIMINAL 1321.*

Carry a firearm while unlawfully using controlled substances. It is a class A Misdemeanor (9 months jail and/or \$10,000 fine) to go armed with a firearm with a detectable amount of a restricted controlled substance in their blood without proof of a valid prescription. *Wis. Stat. § 941.20(1)(bm).*

Intentionally point a firearm at another unless such conduct is privileged. *Wis. Stat. § 941.20(1)(c).*

Intentionally point a firearm at a law enforcement officer, fire fighter, EMT, first responder, ambulance driver or commission warden acting in their official capacity. *Wis. Stat. § 941.20(1m).*

Intentionally discharge a firearm into a vehicle or building under circumstances in which the person should realize there might be a human being present unless privileged. *Wis. Stat. § 941.20(2).*

Intentionally discharges a firearm from a vehicle while on a highway or in a parking lot unless justified or privileged. *Wis. Stat. § 941.20(3), 167.30(2);*

Possess tear gas, mace or similar substance except for pepper spray. *Wis. Stat. § 941.26(1)(b) and (4).*

Use tear gas or similar substances or pepper spray against a law enforcement officer or during a crime. *Wis. Stat. s 941.26(2) and (4).*

Possess, purchase, sell, transport or use a machinegun unless authorized by law. *Wis. Stat. § 941.26(1m) and (3).*

Possess, purchase, sell, transport or use a short-barreled shotgun or rifle (shotgun with a barrel length of less than 18 inches or an overall length of less than 26 inches and a rifle with a barrel length of less than 16 inches or an overall length of less than 26 inches) unless specifically allowed by the statute to possess, sell, transport or use (military in the line of duty, any peace officer of the United States or political subdivision thereof, and anyone who has complied with federal registration and licensing requirements. *Wis. Stat. § 941.28.*

Sell or distribute an imitation firearm. *Wis. Stat. § 941.297.*

Carry or display a facsimile firearm in a manner that could reasonably be expected to alarm, intimidate, threaten or terrify another person. *Wis. Stat. § 941.2965.*

Possess, sell or deliver a firearm silencer unless specifically allowed by law. *Wis. Stat. § 941.298 and in compliance with federal law 26 U.S.C. 5801 to 5872.*

Endanger the safety of another by the negligent operation of handling of a dangerous weapon. *Wis. Stat. § 941.20(1)(a) (9 months jail and/or \$10,000 fine).*

Recklessly endanger the safety of another person. *Wis. Stat. § 941.30.*

Homicide by negligent handling of a dangerous weapon. Wis. Stat. § 940.08.

Homicide by intoxicated use of a firearm. Wis. Stat. § 940.09.

TRANSPORTING WEAPONS

If I have a CCW license can I transport the weapon on my person in a vehicle?

Concealed carry license holders may carry a loaded, concealed handgun in a vehicle. Note, however, that rifles and shotguns have different legal requirements. Although *2011 WI Act 51* removed the requirement that rifles and shotguns be “encased,” it is still illegal to conceal a long-gun in a vehicle. Case law has established that a firearm within reach on a seat is concealed. Rifles and shotguns in a vehicle must be unloaded, and must be readily visible from outside the vehicle or be out of reach of the driver and passengers.

If I do not have a CCW license how do I transport weapons in a vehicle?

A. Handguns

The law now allows a person who can legally possess a handgun to do the following **without a CCW permit**:

- **place, possess, or transport a handgun** in a vehicle without being unloaded or encased. *Wis. Stats. § 167.31(2)(b).*
- **load a handgun** in a vehicle. *Wis. Stats. § 167.31(2)(c).*
- **operate an all-terrain vehicle (ATV)** with a loaded uncased handgun in the operator’s possession. *Wis. Stat. § 23.33(3)(a).*
- place, possess, or transport a handgun **in or on a motorboat** with the motor running without being unloaded or encased. *Wis. Stats. § 167.31(2)(a), (b), (c).*
- place, possess, or transport a loaded uncased handgun **in or on a noncommercial aircraft.**

IMPORTANT NOTE: *Persons who do not have a CCW license may still not carry weapons concealed. In a vehicle this means that the firearm cannot be hidden or concealed and within reach.*

B. Long Guns

The law has been changed regarding hand guns but the requirements for transporting long guns still remains. A long gun being placed within or transported in or on a vehicle, boat, or non-commercial aircraft simply must be unloaded and not hidden/concealed from view when within reach. Long guns do not need to be cased unless within certain areas of the state where other laws require firearms (other than handguns possessed by a CCW license holder) be encased, such as school zones and state parks. *Wis. Stat. § 167.31(2)(a), (b)*

C. Other weapons

As a general rule, persons without a CCW permit may not carry concealed weapons in a vehicle. This means that the weapon cannot be hidden and within reach. Case law has established that a weapon within reach on a seat is concealed.

D. Electric weapons

A CCW licensee may transport an electric weapon without restrictions.

A person who is not a licensee may only transport an electric weapon if it is enclosed within a carrying case. *Wis. Stat. § 941.295(2r)*.

Also see: **ELECTRIC WEAPONS (STUN GUNS) AND CCW.**

Can I transport weapons on public or private buses, transport vehicles or cabs?

The same rules as discussed above regarding transporting in vehicles apply. In addition, private entities may prohibit or restrict the possession and transport of weapons. Also See: **RESTRICTIONS BY EMPLOYERS, RESTRICTIONS BY BUSINESSES AND PROPERTY OWNERS, RESTRICTIONS BY GOVERNMENTS AND PUBLIC COLLEGES AND UNIVERSITIES, and NOTICE OF REFUSAL OF RIGHT TO CARRY CONCEALED.**

What is the law regarding transporting firearms on a commercial airplane?

Any firearm, handgun or long gun must be unloaded and encased. *Wis. Stat. § 167.31(3)(a)1.*

Under federal law firearms may not be carried in carry-on baggage and can only be placed in checked baggage. Airlines may also have additional requirements.

Check with the Federal Traffic Safety Administration (TSA) for further information: TSA- laws and requirements for firearms

ACCESS TO CCW LICENSE INFORMATION

Will there be a list of persons who have CCW licenses?

Yes. The law requires DOJ to maintain a computerized record listing the names of and specified information (including but not limited to dates of birth, sex and the identification number of the CCW license) concerning all individuals who have been issued a license and former federal law enforcement officers (but not former state law enforcement officers) who have been issued certification cards. *Wis. Stat. § 175.60(12)(a).*

Is the information regarding CCW licenses available to the public?

No. The information regarding CCW licenses is not considered a public record and the DOJ, Department of Transportation (DOT), or any employee of DOJ or DOT, cannot make it available to the public except in the context of a prosecution for an offense in which the person's status as a licensee or holder of a certification card is relevant or through DOJ's annual report to the Legislature and the Governor. *Wis. Stat. § 175.60(12)(c).*

Does DOJ issue any reports regarding CCW licenses?

DOJ is required to submit a statistical report to the Legislature and the Governor annually by March 1 of each year. The report must indicate the number of licenses applied for, issued, denied, suspended, and revoked during the previous calendar year. For the licenses denied, the report must indicate the reasons for the denials and the part of the application process in which the reasons for denial were discovered. For licenses suspended or revoked, the report must indicate the reasons for the suspensions and revocations. DOJ may not include in the report any information that may be used to identify an applicant or a licensee, including but not limited to a name, address, birth date, or Social Security number. *Wis. Stat. § 175.60(19).*

To whom can DOJ release information on CCW licenses?

Law enforcement agencies upon proper request and reports to the governor and legislature.

Proper requests from law enforcement include: 1) to confirm that a license or certification card produced by an individual at the request of a law enforcement officer is valid; 2) if an individual claims to hold a valid license or law enforcement certification but does not have his or her license document or law enforcement certification card with him or her, to confirm that the individual holds a valid license or certification card; and 3) to investigate whether a person submitted an intentionally false statement in a license application or renewal. *Wis. Stat. §§ 175.60(12g)(a) and (19).*

Is the information regarding CCW licenses available to a law enforcement agency?

Yes, in limited circumstances. A law enforcement officer may not request or be provided information from such computerized record concerning a specific individual except for specified purposes including to confirm that a license or certification card produced by an individual at the request of a law enforcement officer is valid or, if an individual does not have his or her license document or certification card with him or her, to confirm that the individual holds a valid license or certification card or to investigate whether the person made false statements in their license application or renewal. *Wis. Stat. § 175.60(12)(b) and (12g)(b).*

How can law enforcement agencies use CCW license information?

To confirm that a license or certification card produced by an individual at the request of a law enforcement officer is valid. *Wis. Stat. § 175.60(12)(b)1a.*

If an individual claims to hold a valid license or law enforcement certification but does not have his or her license document or law enforcement certification card with him or her, to confirm that the individual holds a valid license or certification card. *Wis. Stat. § 175.60(12)(b)1b.*

To investigate whether a person submitted an intentionally false statement in a license application or renewal. *Wis. Stat. § 175.60(12)(b)1c.*

To investigate whether a person complied with the requirements governing the return of revoked or suspended CCW licenses. *Wis. Stat. § 175.60(12)(b)1d.*

Is information available to law enforcement agencies outside of Wisconsin?

Yes: 1) information to confirm that a license or certification card produced by an individual at the request of a law enforcement officer is valid; or, 2) if an individual claims to hold a valid license or law enforcement certification but does not have his or her license document or law enforcement certification card with him or her, to confirm that the individual holds a valid license or certification. *Wis. Stat. § 175.60(12)(b) 2.*

Are there some things a law enforcement agency cannot do with license information?

Neither a law enforcement agency nor any of its employees may store or maintain information regarding an individual that was obtained from DOJ based on the individual's status as a licensee or holder of a certificate card. *Wis. Stat. § 175.60(12g)(b).*

In addition, neither a law enforcement agency nor any of its employees may sort or access information regarding vehicle stops, investigations, civil or criminal offenses, or other activities involving the agency based on the status as licensees or holders of certification cards of any individuals involved. *Wis. Stat. § 175.60(12g)(b)2-3.*

CRIMES AND OFFENSES RELATED TO CCW

Making false statements on a CCW license application:

DOJ is authorized to enforce the offense of false swearing with respect to false statements submitted or made in an application for a license or an application to renew a license.

False swearing: *Wis. Stat. § 946.32.*

Firearms instructor intentionally submitting false documentation indicating that a person has met the CCW training requirements.

May be prosecuted under *Wis. Stat. § 946.32* (false swearing). *Wis. Stat. § 175.60(17)(c).*

Failure to provide updated address to DOJ

For a first violation the department must issue the licensee a warning. *Wis. Stat. § 175.60(11)(b)2.* For a second violation a forfeiture of \$50. *Wis. Stat. § 175.60(17)(ac).*

If the person's license is suspended or revoked, or they fail to submit a timely change of address, the individual is subject to a forfeiture of \$50. *Wis. Stat. §§ 175.60(11)(b)3 and 175.60(17)(ac).*

A licensee may not be charged with a violation if the department learns of the violation when the licensee informs the department of the address change *Wis. Stat. § 175.60(11)(b)4.*

Intentional failure to return a CCW license after revocation or suspension or signed statement that the holder no longer possesses the license.

Shall be fined not more than \$500 or imprisoned for not more than 30 days in jail or both. *Wis. Stat. § 175.60(17)(e).*

Carrying a concealed weapon by a licensee without carrying or displaying as required the license and photo ID.

A person who does not carry or display a CCW license and photo ID as required may be required to forfeit not more than \$25 except that the a person is exempt from this penalty if, within 48 hours of the request, he or she presents their license document and photographic identification to the law enforcement agency that employs the law enforcement officer who lawfully requested the documents. *Wis. Stat. § 175.60(17)(a) and (ac).*

Carrying a concealed weapon with a permit in a prohibited location:

May be fined not more than \$500 or jailed for not more than 30 days jail or both. *Wis. Stat. § 175.60(17)(c).*

Unlawful Use of a License

A person who is issued a license and who does any of the following is guilty of a Class A misdemeanor (punishable by 9 months jail and/or \$10,000 fine): *Wis. Stat. § 946.71(2).*

- Intentionally represents as valid any revoked, suspended, fictitious, or fraudulently altered license.
- Intentionally sells or lends the license to any other individual or knowingly permits another individual to use the license.
- Intentionally represents as one's own any license not issued to him or her.
- Intentionally permits any unlawful use of that license.
- Intentionally reproduces by any means a copy of a license for a purpose that is prohibited.
- Intentionally defaces or intentionally alters a license.

Carrying a concealed weapon without a permit

A class A misdemeanor (9 months jail and/or \$10,000 fine). This would apply to any concealed weapon including a firearm, electric weapon, or billy club.

QUESTIONS AND ANSWERS FOR PERSONS WITHOUT A CCW LICENSE

What is the penalty for carrying a concealed weapon without a CCW license?

It is a Class A misdemeanor punishable by jail not to exceed 9 months and/or a fine not to exceed \$10,000. *Wis. Stat. § 941.23(2)*.

What is the penalty for carrying a firearm, openly or concealed, if I am prohibited from possessing a firearm?

It is a Class G felony punishable by imprisonment not to exceed 10 years and/or a fine not to exceed \$25,000. *Wis. Stat. § 941.29(2)*.

If I do not get a CCW license can I carry a firearm openly?

The CCW statute does not limit an individual's right to carry a firearm that is not concealed. *Wis. Stat. § 175.60(2)(c)*.

How do I transport weapons if I do not have a CCW license?

See the section above entitled **TRANSPORTING WEAPONS**.

Wisconsin Department of Justice

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CCW Paper Forms

How To Apply For A Wisconsin Concealed Carry Weapon License Via Mail

[Concealed Carry Weapon License Application Form \(click here\)](#)

A Complete CCW Application must include:

- A completed [application form](#) (pages 2-4)
- Three (3) original signatures, one on each page of the application, no photo copies.
- A check or money order made out to the Wisconsin Department of Justice in the amount of \$40.
- A copy of your proof of training document.

How To Apply For A Renewal of a Wisconsin Concealed Carry Weapon License Via Mail

- A completed [renewal application form](#).
- Three (3) original signatures, one on each page of the application, no photo copies.
- A check or money order made out to the Wisconsin Department of Justice in the amount of \$22.

After you complete the application you can mail it to:

Wisconsin Department of Justice
Attn: Firearms Unit
PO Box 7130
Madison, WI, 53707-7130

If you do not have online access, you may request an application by calling (608) 261-7998.

IMPORTANT

Please ensure that you have notified the Department of Transportation (DOT) of any address change as required by law. The current residential address that you list on your concealed carry application **MUST** be the same as the one registered with DOT or your application will be denied. You can make address changes with DOT online at: <http://www.dot.state.wi.us/drivers/drivers/addresschange.htm>

Certification of Former Federal Officers

If you are a Former Federal Officer you may apply for a standard CCW permit or go through the following process to become certified to carry concealed.

- 📄 [HR218/LEOSA Certification Process](#) 🔗
- 📄 [Former Federal Officer Certification Form](#) 🔗
- 📄 [Former Federal Officer Affirmation Form](#) 🔗

What to do if your application was Denied

If your application for a CCW license was denied and you feel that this decision was incorrect you may appeal the decision through our appeals process at no additional charge. A copy of the appeals form was mailed with your denial letter. You may also

obtain a copy of the form here: [📄 DJ-LE-291](#). [🔗](#)

Fill out the appeals form and submit it to the Firearms Unit along with documentation supporting your appeal. All appeals require a finger print card to perform an identification review. Fingerprints need to be submitted on a fingerprint card and prepared by your local law enforcement agency.

The Firearms Unit will respond to you in writing within 30 days of receiving your appeal.

Common Reasons for Denials

The following are the most common reasons that CCW applications are denied. They may or may not apply to your specific case.

- 🚫 Felony Convictions.
- 🚫 Misdemeanor Convictions for Crimes of Domestic Violence.
 - 🚫 These can include Misdemeanor Disorderly Conduct and Battery Convictions.
- 🚫 Drug Convictions or Arrests within the past year.
- 🚫 Active Warrants.
- 🚫 Court Orders prohibiting firearm possession.
- 🚫 Juvenile Adjudications.

Application Printing Help

Some printers do not automatically scale the document and will cut off the bottom of the pages. In this case you may need to change the **Page Scaling** setting in your Print window to **“Shrink to Printable Area.”** There are signatures required on pages 2, 3, and 4. If you do not have signature blocks on those

pages, you are not printing the entire document.

Other Forms

[📄 Address Change \(DJ-LE-285\) 🔗](#)

Licensees are required to notify the Department of Justice Firearms Unit in writing within 30 days of changing their address. To do this you must submit a completed and signed address change form. If you would like a new license to reflect your updated address you must include a check or money order payable to the Wisconsin Department of Justice in the amount of \$12. However, you are not required to replace your license when you change your address.

[📄 Name Change \(DJ-LE-293\) 🔗](#)

Licensees are required to notify the Department of Justice Firearms Unit in writing within 30 days of legally changing their name. To do this you must submit a completed and signed copy of the name change form. There is a \$22 fee associated with name changes. This fee is comprised of \$10 for a new background check and \$12 for a new license. Please include a check or money order payable to the Wisconsin Department of Justice along with your name change form.

[📄 Lost, Stolen, or Damaged Card \(DJ-LE-285\) 🔗](#)

If your CCW license is lost or severely damaged you may request a replacement license in writing by submitting a completed and signed replacement license form. There is a \$12 fee for replacement licenses. Please include a check or money order payable to the Wisconsin Department of Justice along with your replacement license form and the damaged license, if possible.

[CCW Denial Appeal Form \(DJ-LE-291\)](#) 

If your application for a CCW license was denied and you feel that this decision was incorrect you may appeal the decision through our appeals process for no additional charge. A copy of the appeals form was also included with your denial letter.

[Out of State CCW Affirmation Form \(DJ-LE-289\)](#) 

[DOJ Training Certificate Model](#)

Resources

[Criminal Justice Coordinating Council](#)

[File Consumer Complaint](#)

[Wisconsin Amber Alert](#)

[Missing and Exploited Children and Adults](#)

[Wisconsin Alliance for Drug Endangered Children](#)

[Wisconsin Crime Alert Network](#)

[Wisconsin Department of Corrections](#)

[Wisconsin Board of Commissioners of Public Lands](#)

[Wisconsin Department of Transportation](#)

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Contact the AG

Attorney General
PO Box 7857
Madison, WI 53707-7857

Phone: (608) 266-1221

Fax: (608) 267-2779

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[CCW Paper Forms](#)

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Training Requirements

CCW applicants must provide **ONE** of the following forms of firearms training.

1. A copy of a Hunter Education certificate from Wisconsin's Hunter Education program or a substantially similar program that is established by another state and recognized by the Department of Natural Resources. NOTE: Should your Wisconsin hunters education safety certificate become lost or destroyed, you may obtain another copy in one of three ways:
 1. Print it yourself from your Go Wild account online at GoWild.WI.Gov  . Once logged into your account and at your homepage, click on "Student Dashboard" in the Safety Education section, and then click the "Print Awarded Certificates" icon to print for free.
 2. Visit a Go Wild [license agent](#)  . A \$2 print processing fee will apply.
 3. Visit a [DNR Service Center](#) during their regular scheduled hours. 

2. A copy of a current or expired CCW license from another state that has not been revoked for cause. You must also include form [DJ-LE-289](#)  affirming this fact.
3. Documentation of completion of small arms training while serving in the U.S. Armed Forces, Reserves, or National Guard. Acceptable forms of documentation include a DD-214 or DD-256 form showing an honorable or general under honorable conditions discharge, a certificate of completion of basic training, or a service record of completion of small arms training.
4. A certification letter from the Wisconsin Law Enforcement Standards Board or a letter from a Police Department stating you served as a police officer and completed training.
5. Documentation that you completed private security training from the Department of Safety and Professional Services or a similar course in another state. Training must include a Firearms Certification of Proficiency.
6. A certificate of completion from a firearms safety or training course that is conducted by a national or state organization that certifies firearms instructors, a law enforcement agency, technical college, college, university, or an instructor certified by a national or state organization that certifies firearms instructors. If you participate in one of these courses,

attach a copy of the certificate or affidavit from that course containing the following information:

- a. The applicant's name.
- b. The name of the firearms safety or training course.
- c. The date on which the applicant completed the firearms safety or training course.
- d. The name of the instructor who taught the firearms safety or training course to the applicant and the name of the agency or organization that certified the instructor.
- e. The certificate or affidavit must also include evidence that the course completed was a firearms safety or training course as defined in Jus 17.03(7).

Sufficient evidence consists of one of the following:

- i. A signed statement by the instructor who taught the firearms safety and training course affirming that the course met the specifications as defined in Jus 17.03(7).
- ii. Information on the certificate or affidavit sufficient to establish that the

course met the specifications as defined in Jus 17.03(7). The department

has provided a model training certificate for this purpose.

[📄 Model Certificate](#)

iii. A signed statement by the applicant that the course met the specification as defined in Jus 17.03(7), see question #17 on the [📄 application](#) [↗](#).

****Any one of the proof of training documents listed in #1-#6 are sufficient. For example, a person who submits a DNR hunter education certificate is not required to submit documentation of #2-#5.**

IMPORTANT

Wis. Stats. § 175.60(17)(c) provides for a criminal penalty for instructors who intentionally submit false documentation indicating that an individual has met the training requirements.

Informational Brochure

This informational brochure is enclosed with every concealed carry license and contains important information for licensees.

[📄 Informational Brochure](#) [↗](#)

Eligibility to Instruct FAQ

This FAQ explains the minimum qualifications and requirements to instruct firearm safety and training courses that meet Wisconsin's training requirement.

  [Instructor FAQ](#) 

Model Training Curriculum

The Department of Justice has prepared a model four-hour curriculum, updated to reflect the adoption of permanent administrative rules effective June 1, 2013. This curriculum is available for use by law enforcement agencies and instructors certified by a national or state organization. The model curriculum is ready for use and includes a student text, instructor guide, additional instructor resources, and a model training certificate. This curriculum is not required—instructors may use the curriculum of a national or state organization, or develop their own, as long as that curriculum contains the minimum instructional topics specified under JUS 17.03(7). (DOJ-certified instructors must use this curriculum and the DOJ training certificate on WILENET.)


  [Student Textbook](#) 

  [Instructor Guide](#) 


 [PowerPoint](#)

  [Student Certificate](#) (not for use by DOJ instructors)

Instructor Resources

- 📄 [Joshua Lesnick article](#) 
- 📄 [Madison PD press release](#) 
- 📄 [Adams County press release](#) 
- 📄 [Walker press release](#) 
- 📄 [Walker criminal complaint](#) 
- 📄 [Daughter Accidentally Shot](#) 

Instructor Updates

The DOJ keeps this site up-to-date to provide the latest information to instructors. Instructors certified by a national or state organization may sign up for email bulletins regarding changes to instructor requirements or the CCW curriculum. To request this service, send an email [here](#)  .

Resources

[Criminal Justice Coordinating Council](#)

[File Consumer Complaint](#)

[Wisconsin Amber Alert](#)

[Missing and Exploited Children and Adults](#)

[Wisconsin Alliance for Drug Endangered Children](#)

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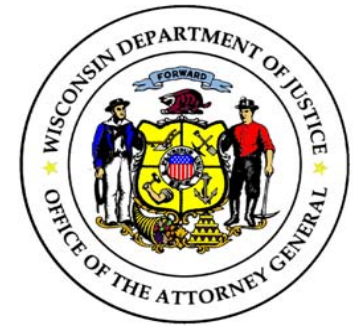
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Appeals may be made to FBI/NICS.

The federal process varies from that used for handguns in Wisconsin. Go to the FBI/NICS website at <https://www.fbi.gov/services/cjis/nics> for more information.

Wisconsin Department of Justice
Division of Law Enforcement Services
Crime Information Bureau
Handgun Hotline
17 West Main Street
Mailing Address: P.O. Box 2718
Madison, WI 53701-2718



A GUIDE FOR APPEALING A HANDGUN TRANSFER DENIAL 1-608-261-7998



Handgun Hotline Hours

Monday - Friday	9:00 a.m. - 9:00 p.m.
Saturday	9:00 a.m. - 5:00 p.m.
Sunday	9:00 a.m. - 5:00 p.m.
Closed:	New Year's Day Easter Independence Day Thanksgiving Day Christmas Day

These hours and days of operation are subject to change as required to meet operational needs.

Wisconsin Handgun Hotline



Wisconsin's Handgun Hotline

Handgun Denial Appeal Process

Wisconsin Disqualifiers:

- Convicted of a felony in Wisconsin or an offense elsewhere that would be a felony in Wisconsin.
- Found not guilty of a felony in Wisconsin by reason of mental disease or defect or elsewhere for an offense that would be a felony in Wisconsin.
- Adjudicated delinquent for an act that would be a felony if committed by an adult in Wisconsin.
- Involuntarily committed for treatment of mental illness, drug dependency or developmental disability.
- Subject to a harassment, domestic abuse or child abuse injunction prohibiting the possession of a firearm.

Additional Federal Disqualifiers:

- Illegal or unlawful aliens
- Persons who have renounced U.S. citizenship
- Persons dishonorably discharged
- Persons adjudicated as a mental defective or committed to any mental institution
- Unlawful users of, or persons addicted to, controlled substances, drug convictions within the last year at Misdemeanor and Ordinance levels.
- Convicted of a Misdemeanor Crime of Domestic Violence
- Fugitive from justice

Federal law requires Wisconsin to deny transfers based on federal disqualifiers as well as those established by Wisconsin law.

Any inquiry concerning your appeal should be directed to the Firearms Unit. Due to the Privacy Act of 1974, the Firearms Unit cannot disseminate specific information to you via the telephone.

To request your appeal materials please call the Firearms Unit Help Desk at 1-608-261-7998 or go to our website <http://doj.state.wi.us/dles/cib/cib-forms> to download a copy of the Identification Review Request Form DJ-LE-FH4.

Before details of the limitation resulting in a non-approval number can be released, satisfactory proof of the buyer's identity is required pursuant to JUS 10.07(1)(b). Satisfactory proof of identity includes a set of fingerprints prepared by a law enforcement agency on a fingerprint card. This identification/verification ensures that the record used for a non-approval decision actually relates to the buyer.

Wisconsin law enforcement agencies have been notified that individuals denied approval to purchase a handgun are required to be fingerprinted. They have been asked to verify the information on the individual's copy of the Firearms Dealer Notification Form by asking for photo identification and to fingerprint the person for the handgun denial appeal process.

Return of the completed form and fingerprint card permits the Firearms Unit to ensure that the record used for denial matches based on positive identification. This card will be returned to you upon completion of the appeals process. If the non-approval resulted from an out-of-state record, the identification process will require a longer period of time to process. If the identification is positive, you will be furnished a copy of the record that was used to issue the non-approval. After you review that record, you should again communicate with our Bureau if there are any errors or discrepancies in the record with which you do not agree. If you wish to challenge a particular finding on the

record, it will be necessary to provide proof in the form of a court document or other information that supports your contention of inaccuracy.

You may submit any information to the originating agency that would assist with the correcting and/or updating of your record. (This may also hasten the appeal process.) If the originating agency corrects your record, the Firearms Unit must be notified and provided documentation indicating such. The information will be verified and evaluated and you will receive a decision on your appeal in writing.

If the record used does not match based on fingerprints, you and the gun dealer will be notified in writing and an approval number will be issued. If your appeal is successful, you will be notified that your denial has been overturned and that you are eligible to receive a firearm. You will be issued a letter, which must be presented to the FFL (who will also receive a letter) that initiated your background check.

To contact Handgun Hotline in writing:

Crime Information Bureau

Attention: Firearms Unit

Post Office Box 2718

Madison, WI 53701-2718

Should you have any questions concerning this process, please do not hesitate to contact our office.

Crime Information Bureau

Firearms Unit Help Desk

1-608-261-7998

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Law Enforcement Officer's Safety Act (LEOSA)

The Wisconsin Division of Criminal Investigation only issues the LEOSA cards to **retired DCI agents. Retired federal agents and out-of-state LEO's** who now reside in Wisconsin must submit their application to the Division of Law Enforcement Services (DLES) to obtain the LEOSA card. For information about LEOSA (a/k/a/ HR-218), check [FAQ documents and other instructions](#) .

PROCESS FOR RETIRED DCI AGENTS

For retired DCI agents attending one of the four DCI LEOSA qualification courses listed below, the agent is required to submit the following forms to DCI:

-   [261a2 Applicant Questionnaire](#) 
-   [261a3 Liability Waiver](#)  **
-   [261a4 Test Certification Form](#) 

**NOTE: The applicant is required to write in the four Uniform Gun Handling Safety Rules under "Description of Risks" on the Liability Waiver form. Forms left

blank or incorrectly filled out will be rejected.

The photograph required for a certification card must be included with the application. The recently taken photograph must meet the requirements for a passport photo:

In Color

Printed on photo quality paper

Taken in front of a plain colored background

Taken in full-face view directly facing the camera

With a neutral facial expression and both eyes open

2 x 2 inches (51 x 51 mm) in size (no larger)


If the retired agent attends a qualification course sponsored by another agency or technical college, and is administered by a DOJ T&S certified firearms instructor, the agent must submit the certificate of qualification issued by that organization, along with form 261a2 Applicant Questionnaire, and 261a3 Liability Waiver and a recent photograph (see photograph requirements above) to DCI.


Upon successful qualification, the LEOSA card will be issued to the retiree.

PROCESS FOR RETIRED FEDERAL AND OUT-OF-STATE LEO's

Other Wisconsin law enforcement agencies and technical colleges also

provide retirees an opportunity to qualify with the Wisconsin Handgun Qualification Course. If a federal or out-of-state LEO receives a certificate of qualification from one of these other organizations, the certificate can be submitted directly to DLES, and DCI is not involved in any way.

If a retired federal or out-of-state LEO wishes to attend a DCI LEOSA qualification shoot, they only need to submit the 261a2 Applicant Questionnaire and 261a3 Liability Waiver to leosa@doj.state.wi.us  prior to the deadline, and bring the original signed documents to the qualification shoot.

Upon successful qualification, the retired federal or out-of-state LEO will receive a Certificate of Qualification signed by the firearms instructor. Retired federal or out-of-state LEO must submit the Certificate of Qualification to DLES, along with the DLES required application documents. DLES issues LEOSA cards for retired federal or out-of-state LEO's. For more information, check [FAQ documents and other instructions](#) .

DCI SPONSORED LEOSA QUALIFICATION

DCI will provide four opportunities yearly for **retired DCI agents** and **retired federal or out-of-state law enforcement officers** who meet the requirements under the Law Enforcement Officers Safety Act to qualify with their sidearm. Applicants are required to provide 50 rounds of ammunition per weapon, per attempt of

the [WI DOJ Qualification Course](#) ,
their own ear and eye protection, and any
range fees required.

**Important: All participants will be
expected to be ready by 9:00AM SHARP.**

**MAY 1, 2019 IS THE DEADLINE FOR
APPLICATIONS REQUESTING TO ATTEND
ONE OF THE SPRING RANGE DATES.**

**Friday, June 7, 2019, from 9:00 am to
12:00 pm in the Wausau area** at the
Frank Hanousek Range, which is the law
enforcement portion of the Duane Corbin
Shooting Range located at 2173 Rifle
Road, Mosinee, Wisconsin. Directions
from STH 51/I-39 are: exit at exit 188
(CTH N). Turn west onto CTH N and
continue on CTH N/South Mountain Road
to CTH KK (approximately 2 miles), turn
south onto CTH KK and follow CTH KK to
Rifle Road (approximately 6 miles),
continue on Rifle Road through the Duane
Corbin Shooting Range to the far west
end where the Frank Hanousek Range is
located. No range fees associated with
the range; however, you may have to pick
up brass after shooting.

**Tuesday, June 4, 2019, from 9:00 am to
12:00 pm in the Madison area** at the
Dane County Law Enforcement Training
Center, located at 5184 Hwy 19, east of
Waunakee in the Town of Westport.
Attendees should enter the training
facility through the front doors and walk
straight back to a dry erase board, which
will have directions to the classroom
assigned to DCI. Please make sure your
firearm is unloaded prior to entering the

building. The Dane County Sheriff's Office charges \$20 as a range fee for all participants that will be collected by Dane County on the day of the qualification.

AUGUST 1, 2019 IS THE DEADLINE FOR APPLICATIONS REQUESTING TO ATTEND ONE OF THE FALL RANGE DATES.

Tuesday, August 27, 2019, from 9:00 am to 12:00 pm in the Madison area at the Dane County Law Enforcement Training Center, located at 5184 Hwy 19, east of Waunakee in the Town of Westport.

Attendees should enter the training facility through the front doors and walk straight back to a dry erase board, which will have directions to the classroom assigned to DCI. Please make sure your firearm is unloaded prior to entering the building. The Dane County Sheriff's Office charges \$20 as a range fee for all participants that will be collected by Dane County on the day of the qualification.

Friday, September 6, 2019, from 9:00 am to 12:00 pm in the Wausau area at the Frank Hanousek Range, which is the law enforcement portion of the Duane Corbin Shooting Range located at 2173 Rifle Road, Mosinee, Wisconsin. Directions from STH 51/I-39 are: exit at exit 188 (CTH N). Turn west onto CTH N and continue on CTH N/South Mountain Road to CTH KK (approximately 2 miles), turn south onto CTH KK and follow CTH KK to Rifle Road (approximately 6 miles), continue on Rifle Road through the Duane Corbin Shooting Range to the far west end where the Frank Hanousek Range is located. No range fees associated with the range; however, you may have to pick up brass after shooting.

Resources

- [Criminal Justice Coordinating Council](#)
- [File Consumer Complaint](#)
- [Wisconsin Amber Alert](#)
- [Missing and Exploited Children and Adults](#)
- [Wisconsin Alliance for Drug Endangered Children](#)
- [Wisconsin Crime Alert Network](#)
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The LEOSA/H.R. 218 Process in Wisconsin

The step-by-step process by which a former law enforcement officer may obtain certification to carry a concealed handgun under Wisconsin statutes and the Law Enforcement Officer Safety Act (LEOSA), commonly referred to as “HR218.”

Contents

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Background

On November 1, 2011, *2011 Wisconsin Act 35* became law. This created a process for Wisconsin residents to legally carry a concealed weapon and clarified the process for former officers who are eligible to carry a concealed handgun under LEOSA. More information on this law is available on the Wisconsin Department of Justice's "Concealed Carry" web page.

Wisconsin residents who are former law enforcement officers may be eligible to carry a concealed weapon under one or two different processes:

1. Obtain the Wisconsin concealed carry license available to the general public.
2. Obtain a LEOSA "HR218" certification card, available to former law enforcement officers under qualifying circumstances.

Former law enforcement officers may be eligible to obtain both a concealed carry license and a HR218 certification card. It is up to the former officer which one(s) they obtain. The primary differences between the two are:

- The LEOSA certification is valid in all 50 states. Wisconsin CCW licenses are not.
- The LEOSA certification requires annual qualification. Wisconsin CCW licenses are valid for five years and do not require additional training.
- The LEOSA certification is only valid for handguns. Wisconsin CCW licenses include electric weapons and billy clubs.

References and Additional Resources

- 2011 Wisconsin Act 35:
<https://docs.legis.wisconsin.gov/2011/related/acts/35.pdf>
- Wisconsin Department of Justice "Concealed Carry" website:
<https://concealedcarry.doj.wi.gov>
- WisDOJ Concealed Carry – Frequently Asked Questions (FAQ):
<http://www.doj.state.wi.us/dles/cib/conceal-carry/faq-concealed-carry>
- Wisconsin Statutes:
<http://legis.wisconsin.gov/rsb/stats.html>
- 2015 Wisconsin Act 68:
<https://docs.legis.wisconsin.gov/2015/related/acts/68>
- 18 US §926C – Carrying of Concealed Firearms by Qualified Retired Law Enforcement Officers: <https://www.law.cornell.edu/uscode/text/18/926C>

Procedures

The procedure required to obtain a concealed carry license or certification card will vary depending on the type of license sought and whether the applicant is a current/former Wisconsin officer, or a former federal or out-of-state law enforcement officer. See the applicable section on the following pages.

Current and Former Law Enforcement Officers – Wisconsin CCW License

Current and former law enforcement officers living in Wisconsin may apply for a “regular” Wisconsin concealed carry license, *i.e.* the license available to the general public. This license merely requires proof of firearms safety training, so documentation of having completed law enforcement firearms training (or another firearms safety or training course such as hunter's safety, *etc.*) satisfies the training requirement. If you need proof of Wisconsin law enforcement firearms training, contact the Training and Standards Bureau (TSB) or download the documentation request form.¹

The officer must attach the “proof of training” documentation to the CCW license application. Mail the application, with payment, to the DOJ.

Procedures in Summary

1. Download and complete form DJ-LE-287, *Concealed Weapon License Application*, available on the WisDOJ website.
2. Obtain proof of training. Proof of law enforcement firearms training satisfies this requirement. A copy of your Wisconsin Law Enforcement Standards Board transcript (available for basic academy training that occurred since 1972) can be requested from TSB using the appropriate form. Proof of law enforcement firearms training from another state also satisfies the requirement. Other acceptable training includes hunter’s safety training, *etc.* (see the WisDOJ site for more information).
3. Mail the application, proof of training, and application fee to the WisDOJ.

¹ https://wilenet.org/html/leosa/ccw_proof-of-training_former_leo.pdf

Former Wisconsin Law Enforcement Officers – LEOSA Certification

To obtain a LEOSA/HR218 Certification Card, former Wisconsin state/county/municipal law enforcement officers must contact their former employer; or, if that law enforcement agency no longer exists, the successor law enforcement agency.² In order to be eligible for this certification card, the former officer must meet these conditions:

1. The former officer must have separated from service with the law enforcement agency that employed him or her in good standing.
2. The former officer must have served an aggregate of at least ten years, or the former officer separated from service due to a service connected disability as determined by the agency from which he or she separated from service, after completing any applicable probationary period.
3. The former officer has not been found by a qualified medical professional employed by the law enforcement agency from which the former law enforcement officer separated from service, to be unqualified to be a law enforcement officer for reasons related to the former officer's mental health, *and* the former officer did not enter into an agreement with his/her agency that he or she is not qualified to be an officer because of mental health reasons.
4. The former officer is not prohibited by federal law from possessing a firearm as indicated by a search of the TIME system and the national criminal background check system.
5. The former officer has, during the previous 12 months at the former officer's expense, been found by an LESB-certified Handgun instructor, to meet the standard for qualifications in firearms training for active officers established by the state.³ As this is LESB curriculum, any LESB-certified Handgun instructor may perform the qualification course.

Upon the request of a former law enforcement officer and at the former officer's expense, a law enforcement agency that employed the former officer, or its successor agency, shall, when the officer meets all of the requirements above, issue the former officer a certification card conforming to Wis. Stat. §175.49(3)&(4).⁴

Procedures in Summary

1. Qualify on the LESB handgun qualification course. This course must be administered by a Wisconsin LESB-certified Handgun instructor, and successful completion must be documented on the DOJ certificate available to LESB-certified instructors on WILENET. This course may be administered by any LESB-certified Handgun instructor.
2. Contact your former Wisconsin law enforcement agency or its successor agency. Supply your DOJ qualification certificate and follow the agency's process.

² [2015 Wisconsin Act 68](#) was signed on 11/11/15. This specifies the process for issuance of LEOSA/HR218 Certification Cards to former officers whose department no longer exists. Wis. Stat. §175.49 defines successor agency as “a law enforcement agency that assumes the responsibilities and duties of another law enforcement agency.”

³ The required qualification course can be found here: <https://wilenet.org/html/leosa/wis-course-approved.pdf>.

⁴ A model template for agency certification card is [available on WILENET](#). Agencies are not required to use this template, and may utilize their own that conforms to §175.49(3)&(4).

Former Federal and Out-of-State Law Enforcement Officers – LEOSA Certification

Former federal⁵ and out-of-state⁶ law enforcement officers may receive a LEOSA certification card issued by the Wisconsin Department of Justice.

In order to be eligible for this certification card, the former law enforcement officer must meet these conditions:

1. The former officer must be a Wisconsin resident.
2. The former officer must have separated from service with the federal or out-of-state law enforcement agency in good standing.
3. The former officer must have served an aggregate of at least ten years, or the former officer separated from service due to a service connected disability as determined by the agency from which the former law enforcement officer separated from service, after completing any applicable probationary period.
4. The former officer has not been found by a qualified medical professional, employed by the law enforcement agency from which the former law enforcement officer separated from service, to be unqualified to be a law enforcement officer for reasons related to the former officer's mental health, *and* the former officer did not enter into an agreement with his/her agency that he or she is not qualified to be an officer because of mental health reasons. (The former officer must provide affirmation of this via form DJ-LE-290.)
5. The former officer is not prohibited by federal law from possessing a firearm as indicated by a search of the TIME system and the national criminal background check system.
6. The former officer has, during the previous 12 months at the former officer's expense, been found by an LESB-certified Handgun instructor to meet the standards for qualifications in firearms training for active officers established by the state.⁷ As this is LESB curriculum, any LESB-certified firearm instructor may perform the qualification course.

After approving an application meeting all requirements, the WisDOJ will issue the former federal or out-of-state officer a certification card which states all of the following:

- a) The type of firearm the former officer is certified to carry (but this cannot include a machine gun, a firearm silencer, or a destructive device).
- b) The former officer has been found by a Wisconsin LESB-certified Handgun instructor to meet the Wisconsin standards for qualifications in firearms training for active officers.

⁵ § 175.49(1)(f)-(g) requires the person to have been employed by an agency of the "federal government...; the U.S. armed forces; or the national guard, that has as its purposes the prevention and detection of crime and the enforcement of laws or ordinances, and that is authorized to make arrests for crimes." Furthermore, the person must have been employed "for the purpose of engaging in, or supervising others engaging in, the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law and who has statutory powers of arrest." Examples of former federal law enforcement officers eligible under LEOSA include agents of the FBI, ATF, Border Patrol, etc.

⁶ [2015 Wisconsin Act 68](#) was signed on 11/11/15. This Act permits the DOJ to issue certification cards to eligible residents of Wisconsin who formerly were employed as law enforcement officers in another state.

⁷ The required qualification course can be found here: <https://wilenet.org/html/leosa/wis-course-approved.pdf>.

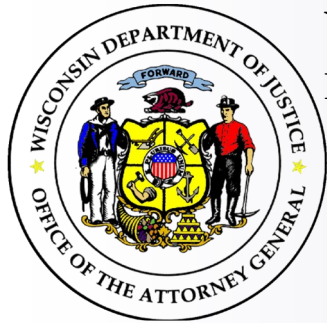
- c) The date on which the firearm qualification test was made, and an expiration date that is 12 months later than the firearm qualification test date.
- d) The full name, date of birth, residence address, physical description, and photograph of the former officer.
- e) The name of this State.
- f) A statement that the certification card does not confer any law enforcement authority on the certification card holder and does not make the certification card holder an employee or agent of the department.

Procedures in Summary

1. Download and complete application form DJ-LE-286, *Certification of Former Federal and Out-of-State Law Enforcement Officers*, [available on the WisDOJ website](#). Note that this form also requires a specific type of photograph of the former officer.
2. Download and have the former federal or out-of-state law enforcement agency complete form DJ-LE-290, *State of Wisconsin Former Federal and Out-of-State Law Enforcement Officer Concealed Carry Affirmation*, [available on the WisDOJ website](#).
3. Successfully qualify using the handgun(s) desired. Qualification must be conducted by a Handgun instructor certified by the Wisconsin Law Enforcement Standards Board.
 - a. DCI will offer periodic qualification shoots. See the DCI LEOSA web page at <http://www.doj.state.wi.us/dci/law-enforcement-officers-safety-act> for current information regarding requirements, dates and locations of opportunities to qualify. You must provide 50 rounds of factory ammunition for each qualification attempt as well as your own ear and eye protection. If required by the range facility, you must pay a range fee.
 - b. You may be qualified by any LESB-certified Handgun instructor. Contact local law enforcement agencies or technical colleges to determine whether this service is offered—the DOJ does not maintain a roster of organizations offering these services.
4. Upon successful qualification, the LESB-certified Handgun instructor will give you a certificate of qualification. (The required certificate is available to LESB-certified Handgun instructors [on WILENET](#)).
5. Mail the application with attached photograph, affirmation form, proof of qualification, and fee to the WisDOJ at the address shown on DJ-LE-286.

Certification cards expire 12 months from the date of the former officer's firearm qualification.

Wisconsin Online Firearms Background Check Program



WISCONSIN Department of Justice --- Online System

How it Works

Registered firearms dealers with WI DOJ are able to submit and view background check requests, view and manage their accounts, and make payments online.

24/7 Access to the following:

- Account History and Payments
- Billing Statements
- Three-Part Form Requests
- Status of Background Checks and Transfer Approval Numbers

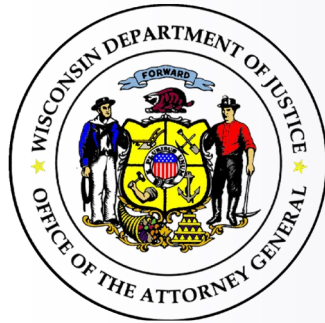
BENEFITS OF BEING AN ONLINE DEALER

- ◆ View Account and make Payments online
- ◆ Submit background check requests and view transfer approval numbers without making a phone call
- ◆ Less time spent on the phone, more time to dedicate to your business and customers

Register at www.firearms.doj.wi.gov

For questions: call **608-261-7998** or
Email wihotline@doj.state.wi.us

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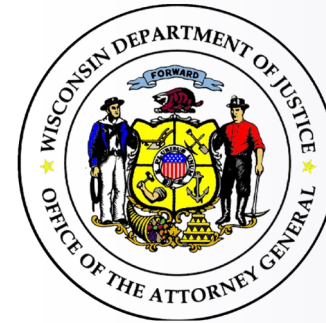
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Becoming a Registered Firearms Dealer in Wisconsin:

In Wisconsin, you must have a Federal Firearms License and be registered with the Wisconsin Department of Justice before you may sell and transfer a handgun. Wis. Stat. 175.35 requires FFL's to conduct a background check for the transfer of a handgun in the State of Wisconsin via the Handgun Hotline. Further, 175.35(2i) establishes that the Department shall charge the dealer a \$10 fee for each background check submitted to the Department and that your account may be suspended for failure to pay this fee.


Obtain Federal Firearms License

The first step in this process is to contact ATF to apply for a Federal Firearms License if you have not already done so.

Go to www.atf.gov

Scroll to bottom, under Resource Center, click on Download Forms.

In Forms Library click on ATF F5310.12 (Form 7)-Application for License (FFL)

ATF F 5310.12	 Form 7 - Application for Federal Firearms License (ATF Form 5310.12) (1570 KB)	Application to be completed by any person(s) or entity who intend to engage in business as a firearms or ammunition importer or manufacturer, or firearms dealer, in interstate or foreign commerce.	Firearms
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Follow the instructions.

The Application for FFL Form needs to be filled out and sent in to ATF.

Once you receive your FFL, you may then register with the WI DOJ.

Register with the Wisconsin Department of Justice: (if you want to find the form online)

Using Google Chrome, or IE 10+ or Firefox browsers:

Go to www.doj.state.wi.us

In Search box type DJ-LE-FH1 and then click Search.

Click on CIB Forms.

Under Firearms Unit click on Handgun Firearms Dealer Registration form DJ-LE-FH1 (in blue)
(Should be first choice)

Fill out the form, print it off, and either mail it in to the Department, or you can scan and e-mail it to us at wihotline@doj.state.wi.us if you have that capability, or Fax it to 608/264-6200
Attention: Carolyn Olson.

Please include a signed copy of your new FFL with your application DJ-LE-FH1 for becoming a new dealer.

Once received, the registration information will be processed in our system and you will be assigned a Dealer Identification Number (DIN#) which will also serve as your account number. A copy of the signed registration form will be mailed back to you for your records along with information about the online system and your new Handgun Transfer forms that are in numerical order and assigned to only your new Dealer ID. A transferee must fill out both the state transfer form and the federal 4473 transfer form.

Please refer to Chapter 175.35 of Wisconsin Statutes and Administrative Code Chapter Jus. 10 for additional information about your responsibilities as a registered firearms dealer in Wisconsin.

You may email me the forms to the email address below, or Fax them to me or send them in the mail to Attn: Carolyn Olson, CIB-Firearms Unit, P. O. Box 2718, Madison WI 53701.

Thank you for your interest in becoming a gun dealer in Wisconsin.

If you have any other questions, please feel free to contact me.

Carolyn M. Olson
Firearms Unit – Handgun Hotline
P. O. Box 2718
Madison, WI 53701
608/267-1336
608/264-6200 Fax
olsoncm@doj.state.wi.us

CERTIFICATION OF PROPOSED GUIDANCE DOCUMENT

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

On behalf of the Attorney General

A handwritten signature in blue ink, appearing to read 'Charlotte Gibson', is written over a horizontal line.

CHARLOTTE GIBSON

Division of Legal Services Administrator