



2023 ASSEMBLY BILL 174

April 10, 2023 - Introduced by Representatives MURPHY, TUSLER, BEHNKE, S. JOHNSON and MURSAU, cosponsored by Senators COWLES, CABRAL-GUEVARA, FELZKOWSKI, FEYEN, MARKLEIN and STROEBEL. Referred to Committee on Veterans and Military Affairs.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to amend* 167.31 (2) (d); and *to create* 29.314 (3) (b) 5., 29.314 (4) (b) 5.,
2 29.314 (5) (b) 5., 167.31 (4) (k) and 941.20 (3) (b) 3. of the statutes; **relating to:**
3 nuisance wildlife management at airports.

Analysis by the Legislative Reference Bureau

Under current law generally, no person may use or possess with intent to use a light to shine wild animals while armed or hunting or between the hours of 10 p.m. and 7 a.m. from September 15 to December 31.

Under current law generally, a person is prohibited from placing, possessing, or transporting a firearm, bow, or crossbow in or on a motorboat with the motor running or a motor vehicle unless the firearm is unloaded or is a handgun, the bow does not have an arrow nocked, or the crossbow is not cocked or is unloaded. A person is also prohibited from loading a firearm, other than a handgun, in a vehicle and from discharging a firearm or shooting a bolt or an arrow from a bow or crossbow in or from a vehicle. A person is also prohibited from discharging a firearm or shooting a bolt or an arrow from a bow or crossbow from or across a highway or within 50 feet of the center of a roadway.

Under current law generally, it is a felony to discharge a firearm at or toward another person, vehicle, or building from a vehicle while on a highway or on a vehicle parking lot that is open to the public.

This bill creates an exception to each of these provisions applicable to designated personnel at a public-use airport or an airport under the exclusive control of the national guard or U.S. Department of Defense for the purposes of

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nuisance wildlife management and control that is conducted in accordance with applicable state or federal permits. For the purpose of these provisions, the bill provides that “designated personnel” includes any person who is acting within the scope of his or her employment or employer and who is an employee or contractor of the airport or the local government that operates the airport or a federal employee or agent.

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

1 **SECTION 1.** 29.314 (3) (b) 5. of the statutes is created to read:

2 29.314 **(3)** (b) 5. To designated personnel at a public-use airport, as defined in
3 s. 114.002 (18m), or an airport under the exclusive control of the national guard or
4 U.S. department of defense, for the purposes of nuisance wildlife management and
5 control that is conducted in accordance with applicable state or federal permits.
6 “Designated personnel” includes any person who is acting within the scope of his or
7 her employment or employer and who is an employee or contractor of the airport or
8 the local government that operates the airport or a federal employee or agent.

9 **SECTION 2.** 29.314 (4) (b) 5. of the statutes is created to read:

10 29.314 **(4)** (b) 5. To designated personnel at a public-use airport, as defined in
11 s. 114.002 (18m), or an airport under the exclusive control of the national guard or
12 U.S. department of defense, for the purposes of nuisance wildlife management and
13 control that is conducted in accordance with applicable state or federal permits.
14 “Designated personnel” includes any person who is acting within the scope of his or
15 her employment or employer and who is an employee or contractor of the airport or
16 the local government that operates the airport or a federal employee or agent.

17 **SECTION 3.** 29.314 (5) (b) 5. of the statutes is created to read:

18 29.314 **(5)** (b) 5. To designated personnel at a public-use airport, as defined in
19 s. 114.002 (18m), or an airport under the exclusive control of the national guard or

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1 U.S. department of defense, for the purposes of nuisance wildlife management and
2 control that is conducted in accordance with applicable state or federal permits.
3 “Designated personnel” includes any person who is acting within the scope of his or
4 her employment or employer and who is an employee or contractor of the airport or
5 the local government that operates the airport or a federal employee or agent.

6 **SECTION 4.** 167.31 (2) (d) of the statutes is amended to read:

7 167.31 (2) (d) Except as provided in sub. (4) (a), (bg), (cg), (e), (fm), ~~and (g), and~~
8 (k), no person may discharge a firearm or shoot a bolt or an arrow from a bow or
9 crossbow from or across a highway or within 50 feet of the center of a roadway.

10 **SECTION 5.** 167.31 (4) (k) of the statutes is created to read:

11 167.31 (4) (k) Subsection (2) does not apply to designated personnel at a
12 public-use airport, as defined in s. 114.002 (18m), or an airport under the exclusive
13 control of the national guard or U.S. department of defense, for the purposes of
14 nuisance wildlife management and control that is conducted in accordance with
15 applicable state or federal permits. “Designated personnel” includes any person who
16 is acting within the scope of his or her employment or employer and who is an
17 employee or contractor of the airport or the local government that operates the
18 airport or a federal employee or agent.

19 **SECTION 6.** 941.20 (3) (b) 3. of the statutes is created to read:

20 941.20 (3) (b) 3. Paragraph (a) does not apply to designated personnel at a
21 public-use airport, as defined in s. 114.002 (18m), or an airport under the exclusive
22 control of the national guard or U.S. department of defense, for the purposes of
23 nuisance wildlife management and control that is conducted in accordance with
24 applicable state or federal permits. “Designated personnel” includes any person who
25 is acting within the scope of his or her employment or employer and who is an

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SECTION 6

1 employee or contractor of the airport or the local government that operates the
2 airport or a federal employee or agent.

3 (END)