



WISCONSIN LEGISLATIVE COUNCIL

Terry C. Anderson, Director
Laura D. Rose, Deputy Director

TO: SENATOR PAM GALLOWAY
FROM: Anne Sappenfield, Senior Staff Attorney
RE: Current Law Relating to Local Regulation of Firearms
DATE: June 20, 2011

This memorandum responds to your request regarding state law relating to local regulation of firearms and whether local governments may enact ordinances that restrict where an individual may carry a firearm. Current state law generally prohibits political subdivisions from enacting ordinances regulating firearms that do not conform to restrictions under state statute.

Under current law, no political subdivision (i.e., city, village, town, or county) may enact an ordinance or adopt a resolution that regulates the: (a) sale; (b) purchase; (c) purchase delay; (d) transfer; (e) ownership; (f) use; (g) keeping; (h) possession; (i) bearing; (j) transportation; (k) licensing; (l) permitting; (m) registration; or (n) taxation of any firearm or part of a firearm, including ammunition and reloading components, *unless* the ordinance or resolution is the same as or similar to, and no more stringent than, a state statute. The only exceptions in the law relate to county imposition of a sales tax or use tax on firearms or ammunition and ordinances restricting the discharge of firearms. [s. 66.0409, Stats.]

The statute relating to local regulation of firearms prohibits adoption of any local ordinance or resolution that would restrict where an individual may possess or bear a firearm unless the restriction is the same as or similar to a state statute restricting where an individual may possess or bear a firearm.

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

AS:ty