

## **CO-SPONSORSHIP MEMORANDUM**

**To:** Legislative Colleagues  
**From:** Rep. Scott Allen  
Sen. Tomczyk  
**Date:** April 10, 2023  
**RE:** Co-sponsorship of LRB-0471 relating to: *possession of a firearm on school grounds by school employees and fees for licenses to carry a concealed weapon.*

**DEADLINE: Monday, April 17<sup>th</sup> at 12pm**

School shootings are tragedies we hate to see. The reality is that schools are often soft targets for those looking to do harm. The knowledge that no one on the premise has the firepower to stop them emboldens bad actors. Parents are rightly asking for action to ensure the safety of their students.

This bill came about at the request of the Germantown School Board who wrote that “the ‘gun free school zone’ signs do nothing but notify a criminal that there will be few, if any, people in the building that can defend themselves.” They requested “that Wisconsin Concealed Carry Weapon statues [sic] be amended to allow a license holder to possess a firearm on the school grounds and within school buildings **if authorized by the local school district.**” (original emphasis) This bill does exactly that. It does not impose a state-wide solution, but it gives the freedom to local school districts to make the right choice for them to protect their students.

As a help to teachers, this bill will also eliminate the concealed carry license fee for teachers making it financially easier for them to achieve this license.

We need to protect our students from bad actors, and we should allow local school districts, with community input, to determine the right policies to ensure that students are protected. Sometimes the best way to deter bad actors is with the threat of force, and this bill gives that choice to school districts.

**To co-sponsor this bill, please respond to this email or contact the office of Rep. Allen at x9197 or Sen. Tomczyk at x6-2502. Cosponsors will be added to both versions of the bill unless otherwise specified.**

### ***Analysis by the Legislative Reference Bureau***

Both federal law and state law prohibit a person from possessing a firearm on the grounds of a school. Federal and state law provide some identical exceptions to the prohibition, such as for law enforcement and for persons in accordance with a contract between the person and the school. Federal law provides another exception for a person who is licensed to possess a firearm by the state if the state requires a background check to ensure the person is qualified for the license. Since the Department of Justice requires a background check before it issues a person a license to carry a concealed weapon, a

licensee is allowed under federal law to possess a firearm on the grounds of a school. State law, however, does not provide an identical exception, so a licensee is prohibited under state law from possessing a firearm on the grounds of a school.

This bill creates a state exception that is similar to the federal exception. Under the bill, a person who has a license issued by DOJ may possess a firearm on the grounds of a school if the person is employed by the school and the school board or governing entity has adopted a policy that allows employees who are licensees to possess a firearm.

Under current law, a person who applies to DOJ for a license to carry a concealed weapon must pay an application fee and a person who is renewing a license must pay a renewal fee. DOJ must set the fee amount on the basis of the cost it incurs in licensing, but the fee can be no more than \$37 for an initial license and \$12 for a license renewal. In addition, the person must pay for a background check for each initial application and renewal application; that fee amount is currently \$10. The bill waives the initial application fee, renewal fee, and background check fee for teachers who apply for a license. For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.