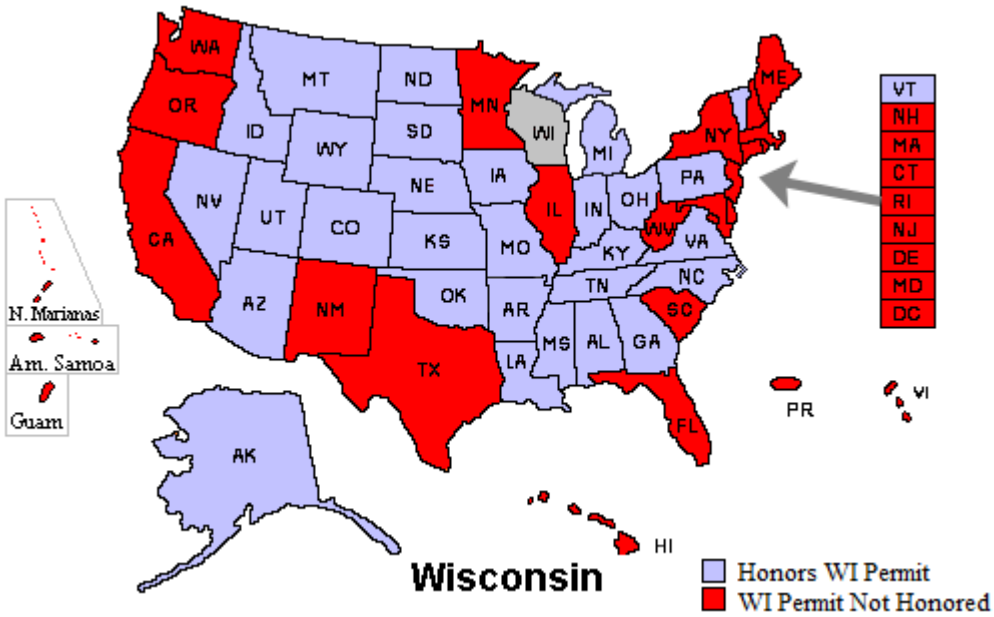
Wisconsin

Shall Issue **Must Inform Officer by Law: NO**
(See Must Inform Section Below)



Links

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Last Updated: 5/24/16

Note: **Alaska**, **Arizona**, **Kansas**, **Maine**, **Mississippi**, **Vermont** and **West Virginia** have **"Permitless Carry."** Anyone who can legally possess a firearm may carry it concealed in those states. Check each respective state page for more information and other restrictions that may apply.

Permits/Licenses This State Honors Listed Below

Alabama	[3]**Alaska**	Arizona	Arkansas	California	Colorado
Connecticut	Georgia	Hawaii	Idaho	Indiana	Illinois
Iowa	Kansas	Kentucky	Louisiana	[7]**Massachusetts**	Maryland
Michigan	Minnesota	Mississippi	[4]**Missouri**	Montana	Nebraska
[5]**Nevada**	New Mexico	New York	North Carolina	North Dakota	[6]**Ohio**
Pennsylvania	South Carolina	[8]**South Dakota**	Tennessee	Texas	Utah
[1]**Virginia**	Washington	[2]**West Virginia**	Wyoming	Puerto Rico	U.S. VI

[1]**Virginia,** WI will not honor the Virginia Resident Permit/License only their Non Resident Permit/License.
[2]**West Virginia.** WI will only honor WV permits issued/renewed after 6/8/12.
[3]**Alaska.** Only licenses issued/renewed after 1/14/13 are honored in Wisconsin.
[4]**Missouri,** Only licenses issued/renewed on or after 8/28/13 are honored in Wisconsin.
[5]**Nevada**, Only Permits issued/renewed on or after July 1, 2011 are honored in Wisconsin.
[6]**Ohio**, Only Permits Issued/renewed on or after March 23, 2015 are honored in Wisconsin.
[7]**Massacusuttes** – Only Honors the Class A Massachusetts Permit.
[8]**South Dakota** – WI Only Honors the Enhanced and Gold Licenses.

Wisconsin Honors Non-Resident Permits/Licenses from all the States They Honor. (Must be 21 Y/O)

Reciprocity/How This State Honors Other States Permit/Licenses

165.25 (16)

Rules Regarding Concealed Weapons Licenses.

Promulgate by rule a list of states that issue a permit, license, approval, or other authorization to carry a concealed weapon if the permit, license, approval, or other authorization requires, or designates that the holder chose to submit to, a background search that is comparable to a background check as defined in s. 175.60 (1) (ac).

How to Apply for a Permit

Applications

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 can mail a request to the above address and an application will be mailed to you.

Your application must:

- Be completely filled out
- Be signed in all areas indicated, to include the statement that the information provided in the application and any document submitted with the application is true and complete to the best of the applicant's knowledge.
- Include a check made out to the Wisconsin Department of Justice in the amount of $40.
- Include a copy of your proof of training.

Training Requirements

Act 35 requires applicants to provide proof of firearms safety training. Any one of the below listed documents will be accepted as proof of meeting the law's training requirement:

1. The hunter education program established under s. 29.591 or a substantially similar program that is established by another state, country, or province and that is recognized by the department of natural resources. (Note: you can obtain a duplicate Wisconsin hunter education certificate instantly online)

2. An unrevoked concealed carry license from another state or jurisdiction. You must enclose the affirmation form DJ-LE-289 verifying it is not revoked for cause. The license may be current or expired.

3. Proof of military, law enforcement, or security firearms training.

- Former military: DD214 or DD256 form showing either "honorable" or "general under honorable conditions" discharge or release from the US military. Remember to include copy 4 of the DD214.
- Active military: Certificate of completion of basic training with service record of successful completion of small arms training.
- Law enforcement: Certification letter from the Wisconsin Law Enforcement Standards Board or Law Enforcement Standards Board Transcript of Recruit Course Completion from Wisconsin or another state.

- Security: Department of Safety and Professional Services Firearms Certification of Proficiency or similar course in another state.

4. Department of Justice Firearm Safety Course certificate (issued by DOJ-certified instructors).

5. Firearms safety or training certificate from a course taught by a national or state organization that certifies firearms instructors, or by an instructor certified by a national or state organization that certifies firearms instructors, or to the public by a law enforcement agency. If you participate in one of these courses, attach a copy of the certificate or affidavit from that course containing the following information:

1. Applicant's name
2. Name of the firearms safety or training course.
3. Date on which the applicant completed the firearms safety or training course
4. The name of the instructor who taught the firearms safety or training course and the name of the agency or organization that certified the instructor.

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

Note: The Emergency Administrative Rules state the training must be at least 4 hours Long has been suspended. Also the requirement that you have a signed statement from the trainer that you completed the course along with a training certificate is no longer needed. It must be Instructor Lead. That means No over the internet training is accepted. If you don't submit all the proper paperwork they will inform you of what is missing and you must submit. If you are denied they must give you the reason in writing. The department will make available to the public on its Internet site a model training certificate that provides for the information required

Non-Resident Permits

Wisconsin will only issue non resident permits to Military Stationed in Wisconsin.

175.60 (1) (dm) "Military resident" means an individual who is in active service in the U.S. armed forces and is stationed in this state for a term that is scheduled to be at least one year in duration.

175.60 (14) (c) A military resident who holds a license shall surrender the license at the time he or she ceases to be stationed in this state.

Note: Active duty military who will be stationed in Wisconsin for a period longer than one year would be considered a resident of Wisconsin and can apply just like a resident. You would have to supply something showing you are going to be stationed in the state for at least a year.

Places Off-Limits Even With a Permit/License

175.60 (16) Prohibited Activity.

(a) Except as provided in par. (b), neither a licensee nor an out−of−state licensee may knowingly carry a concealed weapon, a weapon that is not concealed, or a firearm that is not a weapon in any of the following places:

1. 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 department.

2. Any portion of a building that is a prison, jail, house of correction, or secured correctional facility.
3. The facility established under s. 46.055. (Secure mental health facility for sexually violent Persons)
4. The center established under s. 46.056. (Wisconsin Resource Center)
5. Any secured unit or secured portion of a mental health institute under s. 51.05, including a facility designated as the Maximum Security Facility at Mendota Mental Health Institute.
6. Any portion of a building that is a county, state, or federal courthouse.
7. Any portion of a building that is a municipal courtroom if court is in session.
8. A place beyond a security checkpoint in an airport.

(b) The prohibitions under par. (a) do not apply to any of the following:
1. A weapon in a vehicle driven or parked in a parking facility located in a building that is used as, or any portion of which is used as, a location under par. (a).
2. A weapon in a courthouse or courtroom if a judge who is a licensee is carrying the weapon or if another licensee or out−of−state licensee, whom a judge has permitted in writing to carry a weapon, is carrying the weapon.
3. A weapon in a courthouse or courtroom if a district attorney, or an assistant district attorney, who is a licensee is carrying the weapon.

(17) Penalties.

(a) Any person who violates sub. (2g) (b) or (c) may be required to forfeit not more than $25, except that the person shall be exempted from the forfeiture if the person presents, within 48 hours, his or her license document or out−of−state license and photographic identification to the law enforcement agency that employs the requesting law enforcement officer.
(ac) Except as provided in sub. (11) (b) 2., any person who violates sub. (11) (b) 1. may be required to forfeit $50.
(ag) Any person who violates sub. (2m) (e), (12), or (12g) may be fined not more than $500 or sentenced to a term of imprisonment of not more than 30 days or both.

Note: State and local governments may prohibit people from carrying weapons into government buildings. Notice can be verbal or via a sign posted at common entrances. The City of Madison is stating its Buses, Bus Stops etc are off limits and people carrying there will be arrested. The law states a Verbal or Written warning would have to be given. Use Caution.

948.605(2)

(2) Possession of Firearm In School Zone.

(a) Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is in or on the grounds of a school is guilty of a Class I felony. Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is within 1,000 feet of the grounds of a school is subject to a Class B forfeiture.

(b) Paragraph (a) does not apply to the possession of a firearm by any of the following:

1r. Except if the person is in or on the grounds of a school, a licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as defined in s. 175.60 (1) (g).

3. A person possessing a gun that is not loaded and is any of the following:

a. Encased.

b. In a locked firearms rack that is on a motor vehicle.

948.61

(1)(b) "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."

Note: If the firearm is unloaded and secured in the vehicle then you can drive onto school property. But it must be unloaded and secured.

943.13 (1m) (c)

1. While carrying a firearm, enters or remains at a residence that the actor does not own or occupy after the owner of the residence, if he or she has not leased it to another person, or the occupant of the residence has notified the actor not to enter or remain at the residence while carrying a firearm or with that type of firearm. In this subdivision, "residence," with respect to a single-family residence, includes the residence building and the parcel of land upon which the residence building is located, and "residence," with respect to a residence that is not a single-family residence, does not include any common area of the building in which the residence is located or any common areas of the rest of the parcel of land upon which the residence building is located.

1m. While carrying a firearm, enters or remains in a common area in a building, or on the grounds of a building, that is a residence that is not a single-family residence if the actor does not own the residence or does not occupy any part of the residence, if the owner of the residence has notified the actor not to enter or remain in the common area or on the grounds while carrying a firearm or with that type of firearm. This subdivision does not apply to a part of the grounds of the building if that part is used for parking and the firearm is in a vehicle driven or parked in that part.

2. While carrying a firearm, enters or remains in any part of a nonresidential building, grounds of a nonresidential building, or land that the actor does not own or occupy after the owner of the building, grounds, or land, if that part of the building, grounds, or land has not been leased to another person, or the occupant of that part of the building, grounds, or land has notified the actor not to enter or remain in that part of the building, grounds, or land while carrying a firearm or with that type of firearm. This subdivision does not apply to a part of a building, grounds, or land occupied by the state or by a local governmental unit, to a privately or publicly owned building on the grounds of a university or college, or to the grounds of or land owned or occupied by a university or college, or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of a building, grounds, or land used as a parking facility.

3. While carrying a firearm, enters or remains at a special event if the organizers of the special event have notified the actor not to enter or remain at the special event while carrying a firearm or with that type of firearm. This subdivision 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 used as a parking facility.

4. While carrying a firearm, enters or remains in any part of a building that is owned, occupied, or controlled by the state or any local governmental unit, excluding any building or portion of a building under s. 175.60 (16) (a), if the state or local governmental unit has notified the actor not to enter or remain in the building while carrying a firearm or with that type of firearm. This subdivision 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.

5. While carrying a firearm, enters or remains in any privately or publicly owned building 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. This subdivision 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.

175.60 License to carry a concealed weapon.

(1) Definitions. In this section:

(d) "Licensee" means an individual holding a valid license to carry a concealed weapon issued under this section.

(j) "Weapon" means a handgun, an electric weapon, as defined in s. 941.295 (1c) (a), a knife other than a switchblade knife under s. 941.24, or a billy club.

Madison Metro Transit

To promote the safety and comfort of our riders, the following rules have been established.

1. No weapons are allowed of any kind.

On 8/6/15 the Wisconsin 4th Circuit of Appeals upheld this rule banning all weapons and that it wasn't a violation of Wisconsin's Preemption Law 66.0409. You can read that decision **Here.**

For Federal Restrictions on Firearms see the **USA Page**.

Do "No Gun Signs" Have the Force of Law?

"YES"

943.13 (2) (bm) 1. In this paragraph, "sign" means a sign that states a restriction imposed under subd. 2. That is at least 5 inches by 7 inches.

2. a. For the purposes of sub. (1m) (c) 1m., an owner of a residence that is not a single-family residence has notified an individual not to enter or remain in a part of that building, or on the grounds of that building, while carrying a firearm or with a particular type of firearm if the owner has posted a sign that is 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 restriction applies and any individual entering the building or the grounds can be reasonably expected to see the sign.

am. For the purposes of sub. (1m) (c) 2., 4., and 5., an owner or occupant of a part of a nonresidential building, the state or a local governmental unit, or a university or a college has notified an individual not to enter or remain in a part of the building while carrying a firearm or with a particular type of firearm if the owner, occupant, state, local governmental unit, university, or college has posted a sign that is located 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.

b. For the purposes of sub. (1m) (c) 2., an owner or occupant of the grounds of a nonresidential building or of land has notified an individual not to enter or remain on the grounds or land while carrying a firearm or with a particular type of firearm if the owner or occupant has posted a sign 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.

c. For the purposes of sub. (1m) (c) 3., the organizers of the special event have notified an individual not to enter or remain at the special event while carrying a firearm or with a particular type of firearm if the organizers have posted a sign that is located in a prominent place near all of the entrances to the special event and any individual attending the special event can be reasonably expected to see the sign.

Note: Handgunlaw.us believes when you come across a business that is posted that you not just walk away. That business needs to know that they lost your business because of their "No Gun" sign. Giving them a "No

Firearms = No Money" card would do just that. You can print free "No Firearms = No Money" cards by going **Here**.

Parking Lot Storage Law

175.60 (15m) Employer Restrictions.

(a) Except as provided in par. (b), an employer may prohibit a licensee or an out−of−state licensee that it employs from carrying a concealed weapon or a particular type of concealed weapon in the course of the licensee's or out−of−state licensee's employment or during any part of the licensee's or out−of−state licensee's course of employment.

(b) An employer may not prohibit a licensee or an out−of−state licensee, 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 or out−of−state 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.

(21) Immunity.

(a) The department of justice, the department of transportation, and the employees of each department; clerks, as defined in sub. (11) (a) 1. a., and their staff; and court automated information systems, as defined under sub. (11) (a) 1. b., and their employees are immune from liability arising from any act or omission under this section, if done so in good faith.

(b) A person that 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 its decision.

(c) An employer that does not prohibit one or more employees from carrying a concealed weapon under sub. (15m) is immune from any liability arising from its decision.

Note: I put the immunity clause from WI Law here so that people will know that by allowing someone to carry a concealed firearm on their property does not open them to liability.

Must Inform Officer Immediately on Contact By Law?

"NO"

175.60 (2g)

(b) 1. Unless the licensee is carrying a concealed weapon in a manner described under s. 941.23 (2) (e), a licensee shall have with him or her, during all times he or she is carrying a concealed weapon, his or her license document, photographic identification card, and, if the licensee is a military resident, his or her military license.

2. Unless the out−of−state licensee is carrying a concealed weapon in a manner described under s. 941.23 (2) (e), an out−of−state licensee shall have with him or her his or her out−of−state license and photographic identification card at all times during which he or she is carrying a concealed weapon.

(c) Unless the licensee or out−of−state licensee is carrying a concealed weapon in a manner described under s. 941.23 (2) (e), upon request by a law enforcement officer who is acting in an official capacity and with lawful authority, a licensee who is carrying a concealed weapon shall display to the officer his or her license document and, photographic identification card, and, if the licensee is a military resident, his or her military

license, and an out−of−state licensee who is carrying a concealed weapon shall display to the officer his or her out−of−state license and photographic identification card.

Carry In State Parks//WMA/Road Side Rest Areas & St. /Nat. Forests

Carry Allowed in these Areas:

State Parks/State Fish Hatcheries/Wildlife Refuges **YES** **29.089**

State/National Forests: **YES**

State WMA's: **YES** **29.091**

Road Side Rest Areas: **YES**

RV/Car Carry Without a Permit/License

167.31

(2) Prohibitions; motorboats and vehicles; highways and roadways.
(a) Except as provided in sub. (4), no person may place, possess, or transport a firearm, bow, or crossbow in or on a motorboat with the motor running, unless one of the following applies:

1. The firearm is unloaded or is a handgun.
2. The bow does not have an arrow nocked.
3. The crossbow is not cocked or is unloaded and enclosed in a carrying case.

(b) Except as provided in sub. (4), no person may place, possess, or transport a firearm, bow, or crossbow in or on a vehicle, unless one of the following applies:

1. The firearm is unloaded or is a handgun.
2. The bow does not have an arrow nocked.
3. The crossbow is not cocked or is unloaded and enclosed in a carrying case.

(c) Except as provided in sub. (4), no person may load a firearm, other than a handgun, in a vehicle or discharge a firearm or shoot a bolt or an arrow from a bow or crossbow in or from a vehicle.

948.605

(2) (a) Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is a school zone in or on the grounds of a school is guilty of a Class I felony. Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is within 1,000 feet of the grounds of a school is subject to a Class B forfeiture.

(2) (b) (intro.) Paragraph (a) does not apply to the possession of a firearm by any of the following:

(2) (b) 1m. A person who possesses the firearm in accordance with 18 USC 922 (q) (2) (B) (i), (iv), (v), (vi), or (vii).

Note: You can carry an unconcealed handgun in a vehicle in Wisconsin but if you come within 1000 foot of a school like described above you can be charged. You can transport within 1000 foot of a school without a permit/license to carry under Federal Code 18 USC 922 if the handgun is unloaded and secured. See State vs Walls in AG Opinions/Ct Case Section on what is considered concealed.

Open Carry (Without a Valid Permit/License)

Open Carry is legal. Places as listed in the "Places Off Limits" above apply to those who open carry. See the "RV/Car Carry Without a Permit" section for carrying in a vehicle. See State vs Walls in AG Opinions/Ct Case Section on what is considered concealed.

The state preempts all firearm laws in the state and local authorities can't have Laws/Ordinances against open carry. Remember that if you enter any property and the owner/responsible person ask you to leave you must leave. Failure to leave can result in Trespass Charges. The Minimum age for Open Carry is 18.

In some states Open Carry is forbidden in places where those with a valid permit/license can carry. This is not the last word on Open Carry in this state. Check at **www.opencarry.org** or go to Google and type in State Name Open Carry or Open Carry State Name for a search for open carry info in this state. Check with the **State's RKBA** Organization/s. Also see "Attorney General Opinions/Court Cases" Section for any written opinions/Cases on Open Carry.

State Preemption

66.0409 Local Regulation of Weapons.

(1) In this section:
(a) "Firearm" has the meaning given in s. 167.31 (1) (c).
(b) "Political subdivision" means a city, village, town or county.
(c) "Sport shooting range" means an area designed and operated for the practice of weapons used in hunting, skeet shooting and similar sport shooting.

(2) Except as provided in subs. (3) and (4), no political subdivision may enact or enforce an ordinance or adopt a resolution that regulates the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration or taxation of any knife or any firearm or part of a firearm, including ammunition and reloader components, unless the ordinance or resolution is the same as or similar to, and no more stringent than, a state statute.

(3) (a) Nothing in this section prohibits a county from imposing a sales tax or use tax under subch. V of ch. 77 on any knife or any firearm or part of a firearm, including ammunition and reloader components, sold in the county.

(b) Nothing in this section prohibits a city, village or town that is authorized to exercise village powers under s. 60.22 (3) from enacting an ordinance or adopting a resolution that restricts the discharge of a firearm. Any ordinance or resolution that restricts the discharge of a firearm does not apply and may not be enforced if the actor's conduct is justified or, had it been subject to a criminal penalty, would have been subject to a defense described in s. 939.45.

(4) (a) Nothing in this section prohibits a political subdivision from continuing to enforce an ordinance or resolution that is in effect on November 18, 1995, and that regulates the sale, purchase, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration or taxation of any firearm or part of a firearm, including ammunition and reloader components, if the ordinance or resolution is the same as or similar to, and no more stringent than, a state statute.

(am) Nothing in this section prohibits a political subdivision from continuing to enforce until November 30, 1998, an ordinance or resolution that is in effect on November 18, 1995, and that requires a waiting period of not more than 7 days for the purchase of a handgun.

(b) If a political subdivision has in effect on November 17, 1995, an ordinance or resolution that regulates the sale, purchase, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration or taxation of any firearm or part of a firearm, including ammunition and reloader

components, and the ordinance or resolution is not the same as or similar to a state statute, the ordinance or resolution shall have no legal effect and the political subdivision may not enforce the ordinance or resolution on or after November 18, 1995.

(c) Nothing in this section prohibits a political subdivision from enacting and enforcing a zoning ordinance that regulates the new construction of a sport shooting range or when the expansion of an existing sport shooting range would impact public health and safety.

(5) A county ordinance that is enacted or a county resolution that is adopted by a county under sub. (2) or a county ordinance or resolution that remains in effect under sub. (4) (a) or (am) applies only in those towns in the county that have not enacted an ordinance or adopted a resolution under sub. (2) or that continue to enforce an ordinance or resolution under sub. (4) (a) or (am), except that this subsection does not apply to a sales or use tax that is imposed under subch. V of ch. 77.

(6) Unless other facts and circumstances that indicate a criminal or malicious intent on the part of the person apply, no person may be in violation of, or be charged with a violation of, an ordinance of a political subdivision relating to disorderly conduct or other inappropriate behavior for loading, a firearm, or for carrying, or going armed with a firearm or a knife, without regard to whether the firearm is loaded or the firearm or the knife is concealed or openly carried. Any ordinance in violation of this subsection does not apply and may not be enforced. **History:** 1995 a. 72; 1999 a. 150 s. 260; Stats. 1999 s. 66.0409; 2011 a. 35. 2016

Deadly Force Laws

Chapter 939
Crimes General Provisions
Subchapter I
Preliminary Provisions

895.62 Use of Force in Response to Unlawful and Forcible Entry Into a Dwelling, Motor Vehicle, or Place of Business; Civil Liability Immunity.
939.48 Self-Defense and Defense of Others.
939.48(1) Threaten or Intentionally Use Force
939.48(2) Provocation
939.48(3) Intention
939.48(4) Defense of Others
939.48(5) Defense of Others
939.48(6) Unlawful
939.49 Defense of Property and Protection Against Retail Theft.

Knife Laws State/Cities

To access State/Local Knife Laws Click "Here"

Carry in Restaurants That Serve Alcohol

YES

Note: A "YES" above means you can carry into places like described below. "NO" means you can't. Handgunlaw.us definition of "Restaurant Carry" is carry in a restaurant that serves alcohol. Places like Friday's or Red Lobster unless posted with "No Gun Signs." This may or may not mean the bar

or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.

Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

Stun Devices/Electric Weapons:

941.295 – **Possession of electric weapon** **(2) (d) 2.** A person for use in his or her dwelling or place of business or on land that he or she owns, leases, or legally occupies.

941.295 **(2r)** The prohibition in sub. (1m) on transporting an electric weapon does not apply to any of the following:

(a) A licensee or an out−of−state licensee.

(b) An individual who is not a licensee or an out− of−state licensee who transports an electric weapon if the electric weapon is enclosed within a carrying case.

Chemical Sprays:

Wisconsin Statute **941.26**

(1) (b) Except as provided in sub. (4), no person may sell, possess, use or transport any tear gas bomb, hand grenade, projectile or shell or any other container of any kind or character into which tear gas or any similar substance is used or placed for use to cause bodily discomfort, panic, or damage to property.

(4) **(a)** Subsections (1) to (3) do not apply to any device or container that contains a combination of oleoresin of capsicum and inert ingredients but does not contain any other gas or substance that will cause bodily discomfort.

Wisconsin Act 77 removed the Justice Department's ability to have rules on Self Defense Sprays.

Laws Still in Effect

- OC and inert ingredients only
  Class A misdemeanor
- 18 years old to purchase
  Class E forfeiture
- Use only in self defense
  Class A misdemeanor
- Not for use against a peace officer Class H felony
- Not for use in a crime
  Class H felony
- Felons cannot possess
  Class A misdemeanor
- Seller must provide proper label and written safety instructions
  Class A misdemeanor

LEOSA State Information

See State Law 175.48 & 175.49 and 941.23 – 941.237

State LEOSA Information

See the LEOSA Section on the **USA Page** at Handgunlaw.us for more LEOSA Information.

Attorney General Opinions/Court Cases

State vs Walls Court Case on Openly Carried Handgun in Vehicle on Seat.

Wisconsin Attorney General Advisory Memorandum: Open Carry is Legal

Open Carry is legal in Wisconsin. The Wisconsin AG sent this **Advisory Memorandum to all Law Enforcement.**

Airport Carry/Misc. Information

Airport Carry: YES

Training Valid for: No Set Time Period.

Time Period to Establish Residency: ? Most Likely After Obtaining a WI Drivers License/ID Card

Minimum Age for Permit/License: 21

Permit/License Info Public Information: NO

State Reciprocity/How They Honor Other States Statute: 165.25 (12m)

State Fire arm Laws: 175.60 & 941.20 thru 941.299

State Deadly Force Laws: 939.48 & 939.49

State Knife Laws: 941.24

Chemical/Electric Weapons Laws: 941.26 & 941.295.

Body Armor Laws: 941.291

Does Your Permit Cover Other Weapons Besides Firearms? YES 175.60

Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal? YES Except when Shining.

Notes

What Does WI Consider a Loaded Firearm?

167.31 and 941.237

(g) "Unloaded" means any of the following:

1. Having no shell or cartridge in the chamber of a firearm or in the magazine attached to a firearm.
2. In the case of a cap lock muzzle−loading firearm, having the cap removed.
3. In the case of a flint lock muzzle−loading firearm, having the flashpan cleaned of powder.

175.60

(j) "Weapon" means a handgun, an electric weapon, as defined in s. 941.295 (1c) (a), a knife other than a switchblade knife under s. 941.24, or a billy club.

State Emergency Powers

323.12 Governor; Duties and Powers.

(1) ONGOING DUTIES. The governor shall do all of the following:

(a) Review orders establishing or altering emergency management areas.

(b) Review state emergency management plans and modifications to the plans.

(c) Determine responsibilities of state departments and independent agencies with respect to emergency management and by order direct those departments and agencies in utilizing personnel, facilities, supplies, and equipment before and during a state of emergency.

(2) ONGOING POWERS. The governor may do all of the following:

(a) On behalf of the state, enter into mutual aid agreements concerning emergency management with other states.

(b) Accept from any source gifts and grants including services for emergency management purposes and may authorize the state and local units of government to receive such gifts and grants. When grants require participation by a local unit of government, the state may transfer title to equipment acquired through an agreement between participating local units of government.

(c) If the governor determines that a condition of civil disorder or a threat to the safety of persons on state property or damage or destruction to state property exists, he or she may, without declaring an emergency, call out the state traffic patrol or the conservation warden service or members of that patrol or service for use in connection with the threat to life or property.

(3) DUTIES DURING AN EMERGENCY. During a state of emergency declared under s. 323.10, the governor shall issue orders, delegate such authority as is necessary to the administrator, and direct the division to coordinate emergency management activities.

(4) POWERS DURING AN EMERGENCY. The governor may do all of the following during a state of emergency declared under s. 323.10:

(a) Declare priority of emergency management contracts over other contracts, allocate materials and facilities in his or her discretion, and take, use, and destroy, in the name of the state, private property for emergency management purposes. The governor shall keep records of that action. Those records shall be evidence of a claim against the state. The claim against the state shall be referred to the claims board under s. 16.007.

(b) Issue such orders as he or she deems necessary for the security of persons and property.

(c) Contract on behalf of the state with any person to provide, on a cost basis, equipment and services to be used to respond to a disaster or the imminent threat of a disaster.

(d) Suspend the provisions of any administrative rule if the strict compliance with that rule would prevent, hinder, or delay necessary actions to respond to the disaster.

History: 2009 a. 42 ss. 68 to 71, 73 to 78, 122, 286 to 289; Stats. 2009 s. 323.12; 2015 a. 84.

323.24 Prohibition against restricting firearms or ammunition during emergency. A person who is granted emergency powers under this subchapter may not use those powers to restrict the lawful possession, transfer, sale, transport, storage, display, or use of firearms or ammunition during an emergency.
History: 2007 a. 87; 2009 a. 42 s. 237; Stats. 2009 s. 323.24.

Note: Federal Law can apply if the state is receiving monetary and/or other assistance from the Federal Government. See **US Code 42-5207** for Federal Law as it applies to States of Emergencies. The state quoted code may also not be all of the law on Emergency Powers held by the state. You should read the entire code on Emergency Powers etc for this state by following the link to the state code.

Minimum Age for Possessing and Transporting of Handguns.

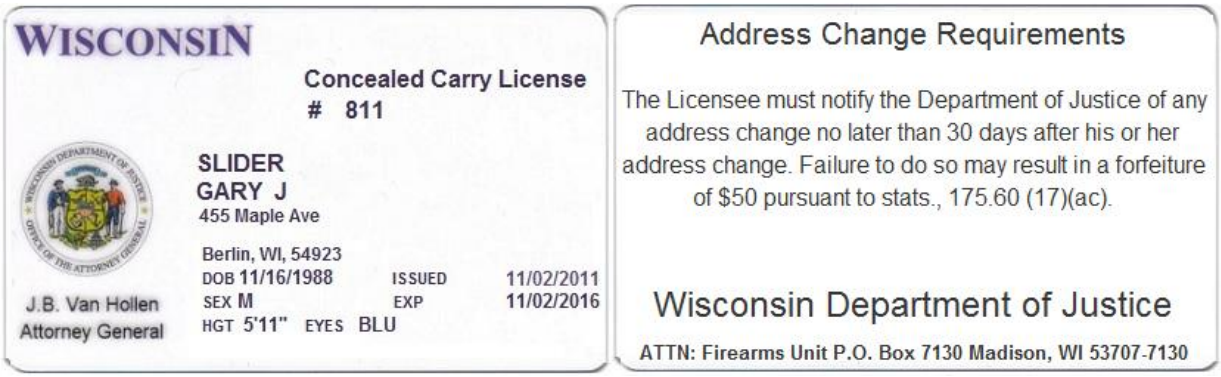
Wisconsin 18 Y/O 948.60

This is the minimum age for possessing and transporting a handgun unloaded and secured in a vehicle without any type of permit/license to carry firearms.

Note: In some states Possession and Transportation CAN be very restrictive in that you can ONLY possess and transport a handgun to and from a Shooting Range, Gun Shop, property you own or other places you can legally possess a handgun. Some states do not have this restriction.

This is not the last word on possession and transporting of handguns in this, or any other state. Study your state law further for more information. See "RV/Car Carry" Section Above for more information.

Permit/License Image



This image has been digitally assembled from 2 or more images. It may not be 100% accurate but gives a good representation of the actual Permit/License.

Updates to this Page

2/19/14 – All Links Checked.
4/9/14 – Wisconsin Now Honors Illinois. All Links Checked.
4/28/14 – Wisconsin Now Honors Nevada Permits Issued On or After July 1, 2011.
7/1/14 - Chem Sprays/Stun Guns/Higher Cap Mag Restrictions Section Updated.
7/22/14 – All Links Checked and Updated if Required.
10/23/14 - Wyoming Now Honors Wisconsin. All Links Checked.
11/14/14 – Firearms & Weapons Law Link Added to Links Section.
12/10/14 – How this state Honors Other States Added to "States This State Honors Section.
3/1/15 – All Links Checked.
3/23/15 – Ohio Now Honors Wisconsin.
3/25/15 – Wisconsin Now Honors Ohio Permits Issued/renewed on or after March 23, 2015.
6/19/15 – Nevada Now Honors Wisconsin.
7/1/15 – All Links Checked.
8/10/15 – Madison Transit Ban Info Added to Places Off Limits Section.
11/1/15 – Note Added Under Map on Permitless Carry States.
11/8/15 – All Links Checked and Repaired if Needed.

11/13/15 - Non Resident Permit and Must Inform Officer Sections Updated With Wording from Newly Passed Law.
1/14/16 – All Statute Wording on Page Checked and Verified Against Latest Published Statutes.
2/10/16 – State Preemption Section Updated.
3/20/16 – All Links Checked.
4/3/16 – Wisconsin now Honors Alabama, Mississippi, South Carolina, Massachusetts and South Dakota.
4/5/16 – Wisconsin Now Stating They Will Only Honor the South Dakota Enhanced and Gold Licenses.
4/17/16 – Note Under Map Updated With Mississippi Now Permitless Carry.
5/24/16 - West Virginia Added to listing as a Permitless Carry State under Map at top of Page.