



Legislation Text

File #: 23910, Version: 1

**Fiscal Note**

There may be a minor increase in General Fund revenues derived from forfeitures.

**Title**

Creating Section 9.06 and amending Section 1.08(3)(a) of the Madison General Ordinances to establish a violation for individuals that are carrying a concealed weapon but fail to have the statutory required documentation with them and to create a bail deposit for violation thereof.

**Body**

DRAFTER'S ANALYSIS: The ordinance establishes a violation for individuals that are carrying a concealed weapon but fail to have the statutory required documentation with them.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Section 9.06 entitled “Concealed Weapon License” of the Madison General Ordinances is created to read as follows:

**“9.06 CONCEALED WEAPON LICENSE.**

- (1) Definitions. In this section:
  - (a) “Carry” means to go armed with.
  - (b) “Concealed” means hidden from ordinary observation.
  - (c) “License document” means a valid license issued under Wis. Stat. § 175.60 or an out-of-state license.
  - (d) “Licensee” means an individual holding a valid license to carry a concealed weapon under Wis. Stat. § 175.60.
  - (e) “Out-of-state licensee” means an individual who is twenty-one years of age or over, who is not a Wisconsin resident, and who has been issued an out-of-state license.
  - (f) “Photographic identification card” means one of the following:
    - 1. An operator’s license issued under Wis. Stat. Chap. 343 or an identification card issued under Wis. Stat. § 343.50; or
    - 2. A license or card issued by a state other than Wisconsin that is substantially equivalent to a license or card under Sub. 1.
  - (g) “Weapon” means a handgun, an electronic weapon, as defined in Wis. Stat. § 941.295 (1c)(a), a knife other than a switchblade knife under Wis. Stat. § 941.24, or a billy club.
- (2) It shall be unlawful for a licensee or out-of-state licensee to carry a concealed weapon within the City without having his or her license document and photographic identification card.
- (3) Exceptions. This section does not apply if the licensee or out-of-state licensee was carrying a concealed weapon in the following locations:
  - (a) In his or her own dwelling;
  - (b) In a place of business he or she owns; or
  - (c) On land he or she owns, leases or legally occupies.
- (4) Penalty. Any person who violates this ordinance shall be subject to a penalty of not more than twenty-five dollars (\$25).
  - (a) Exemption. Any person is exempted from a forfeiture under this section, if the person presents, within forty-eight (48) hours of receiving a citation, his or her license document or out-of-state license and photographic identification to the Madison Police Department.”

2. Subdivision (a) of Subsection (3) entitled “Schedule of Deposits” of Section 1.08 entitled “Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits” of the

Madison General Ordinances is amended by creating therein the following:

<u>"Offense</u>	<u>Ord. No./ Adopted Statute No.</u>	<u>Deposit</u>
Failure to carry concealed carry weapon license.	9.06(2)	\$25"