

CONCEAL AND CARRY FACT SHEET*



On November 1, 2011, it will be legal for persons in Wisconsin with valid permits to carry concealed weapons such as pistols, knives, and other devices on their person. Persons may not carry concealed weapons into schools and certain government buildings. Concealed weapons will be permitted in most other places, including churches.

The Wisconsin Department of Justice (DOJ) has issued a 56-page "Frequently Asked Questions" (FAQ) memo about the concealed carry law. As the process of developing regulations moves forward over the next several months, please consult this publication as well as the DOJ's newly-created concealed carry website at:

<http://www.doj.state.wi.us/dles/cib/ConcealedCarry/ConcealedCarry.asp>

The following summarizes a number of provisions in the new law and addresses questions parishes and Catholic agencies may have.

PROVISIONS OF THE NEW LAW

Definition of concealed weapons: The new law allows licensed citizens in Wisconsin to carry several kinds of concealed weapons, including guns, electric guns, clubs, and knives (but not switch blades).

Employers: Under the new law, an employer may prohibit an employee from carrying concealed weapons at work, but cannot prohibit an employee from keeping concealed weapons in the employee's motor vehicle, even if that vehicle is parked on employer property.

Property owners: Under provisions of the new law, property owners may bar weapons from their premises by posting a sign at least 5" by 7" in size near every entrance to the building. The FAQ memo cited above does not spell out the specific wording of signs, but indicates that they must clearly communicate the prohibition.

* The Wisconsin Catholic Conference acknowledges the assistance of materials developed by the Wisconsin Council of Churches in the preparation of this resource.

Standard signs such as this one are available from commercial vendors:



Penalty: The penalty for violating the concealed carry prohibition on private property is classified as a Class B forfeiture, carries a fine of up to \$200, and is enforced by a civil authority, such as a local police department.

Liability: The law grants immunity from liability to any property owner or employer who does not ban concealed weapons on his/her property or prohibits their employees from carrying. It grants no such immunity for those who ban concealed weapons. The liability in question would generally be negligence. For example, one might be accused of negligence because he or she failed to effectively enforce or monitor a ban on weapons and that failure resulted in a person being injured.

Several other states have similar liability language written into their state statutes. Insurance carriers are familiar with this language. While it is impossible to predict the impact of the new law on insurance rates in Wisconsin, the experience of other states suggests that the impact has been negligible.

Please be aware of the following:

The Wisconsin Catholic Conference does not provide legal advice. As a matter of prudence, parish leaders and directors of other Catholic agencies are encouraged to consult parish/agency/diocesan liability insurance carriers.

Also, while the concealed carry law goes into effect November 1, 2011, facilities may institute policies permitting or prohibiting the concealed carrying of weapons on the premises at any time. Prohibition must fulfill the statutory notice requirements described above (the posting of signs, etc.).