

State of Wisconsin



2013 Senate Bill 527

Date of enactment: **April 8, 2014**
Date of publication*: **April 9, 2014**

2013 WISCONSIN ACT 202

AN ACT *to amend* 895.527 (3) and 895.527 (4); and *to create* 895.527 (8), 895.527 (9) and 895.527 (10) of the statutes; **relating to:** liability and immunity of sport shooting ranges.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 895.527 (3) of the statutes is amended to read:

895.527 (3) A person who owns or operates a sport shooting range is not subject to an action for nuisance or to state or local zoning conditions related to noise ~~and no~~. If a sport shooting range, on the date it was established, was a lawful or legal nonconforming use under any state law or local ordinance related to its use that was in effect on that date, the sport shooting range continues to be subject to the state laws and local ordinances related to its use that were in effect on the date it was established. No court may enjoin or restrain the operation or use of a sport shooting range on the basis of noise or on the basis of non-compliance with a state law or local ordinance related to its operation or use that was enacted after the date that the sport shooting range was established if the sport shooting range, on the date it was established, was a lawful or legal nonconforming operation or use under any state law or local ordinance related to its operation or use that was in effect on that date.

SECTION 2. 895.527 (4) of the statutes, as affected by 2013 Wisconsin Act 35, is amended to read:

895.527 (4) Any sport shooting range that exists on July 16, 2013, may continue to operate as a sport shooting range at that location notwithstanding any zoning ordi-

nance enacted under s. 59.69, 59.692, 60.61, 60.62, 61.35 or 62.23 (7), if the sport shooting range is a lawful use or a legal nonconforming use under any zoning ordinance enacted under s. 59.69, 59.692, 60.61, 60.62, 61.35 or 62.23 (7) that is in effect on July 16, 2013. The operation of the sport shooting range continues to be a lawful use or legal nonconforming use notwithstanding any expansion of, or enhancement or improvement to, the sport shooting range.

SECTION 3. 895.527 (8) of the statutes is created to read:

895.527 (8) An owner or operator of a sport shooting range, or an employee, agent, contractor, customer, or insurer of the owner or operator of a sport shooting range, and any user of a sport shooting range is immune from civil liability in any action commenced by the state or its political subdivisions, or by a special purpose district, related to the use, release, placement, deposition, or accumulation of any projectiles on or under the sport shooting range or other contiguous real property over which the owner or operator of a sport shooting range has an easement, leasehold, or other legal right to use.

SECTION 4. 895.527 (9) of the statutes is created to read:

895.527 (9) An owner, operator, officer, or board member of a sport shooting range, and any employee or volunteer acting on behalf of the owner or operator who provided recommendations regarding the operation of a

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

sport shooting range, are immune from any civil action based solely on the negligent action of a user of the sport shooting range.

SECTION 5. 895.527 (10) of the statutes is created to read:

895.527 (10) This section does not impair or diminish the private property rights of owners of property adjoining a sport shooting range.

