

charges or attempts to discharge a firearm at a place the individual knows is a school zone is guilty of a Class D felony.

(b) Paragraph (a) does not apply to the discharge of, or the attempt to discharge, a firearm:

1. On private property not part of school grounds;

2. As part of a program approved by a school in the school zone, by an individual who is participating in the program;

3. By an individual in accordance with a contract entered into between a school in a school zone and the individual or an employer of the individual; or

4. By a law enforcement officer acting in his or her official capacity.

(4) **Consecutive sentence.** Notwithstanding s. 973.15 (2) to (4), if a court imposes a term of imprisonment under this section, the court shall impose the sentence consecutive to any other sentence.

948.61. Dangerous weapons other than firearms on school premises.

(1) In this section:

(a) **"Dangerous weapon"** has the meaning specified in s. 939.22 (10), except **"dangerous**

weapon" does not include any firearm and does not include any beebee or pellet-firing gun that expels a projectile through the force of air pressure or any starter pistol.

(b) **"School"** means a public, parochial or private school 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.

(c) **"School premises"** means any school building, grounds, recreation area or athletic field or any other property owned, used or operated for school administration.

(2) Any person who knowingly possesses or goes armed with a dangerous weapon on school premises is guilty of:

(a) A Class A misdemeanor.

(b) A Class E felony, if the violation is the person's 2nd or subsequent violation of this section within a 5-year period, as measured from the dates the violations occurred.

(3) This section does not apply to any person who:

(a) Uses a weapon solely for school-sanctioned purposes.

(b) Engages in military activities, sponsored by the federal or state government, when acting in the discharge of his or her official duties.

(c) Is a law enforcement officer acting in the discharge of his or her official duties.

(d) Participates in a convocation authorized by school authorities in which weapons of collectors or instructors are handled or displayed.

(e) Drives a motor vehicle in which a dangerous weapon is located onto school premises for school-sanctioned purposes or for the purpose of delivering or picking up passengers or property. The weapon may not be removed from the vehicle or be used in any manner.

(4) A person under 17 years of age who has violated this section is subject to the provisions of ch. 938, unless jurisdiction is waived under s. 938.18 or the person is subject to the jurisdiction of a court of criminal jurisdiction under s. 938.183.

[Current as of Aug. 1, 2000 (through 1999 Wis. Act 198 (June 3, 2000))]

WYOMING WYO. STAT.

Title 6. Crimes and Offenses,

Chapter 8. Weapons

Article 1. Weapons Offenses

6-8-102. Use or possession of firearm by person convicted of certain felony offenses; penalties. Any person who has previously pleaded guilty to or been convicted of committing or attempting to commit a violent felony or a felony under W.S. 6-5-204(b), and has not been pardoned and who uses or knowingly possesses any firearm is guilty of a felony punishable by imprisonment for not more than three (3) years, a fine of not more than five thousand dollars (\$5,000.00), or both.

Article 2. Firearms Regulation

6-8-203. Firearms information to be kept in place of business; inspection by peace officer. The information required by federal law to be maintained on firearms shall be kept by every wholesaler, retailer, pawnbroker and dealer in firearms in the place of business of the wholesaler, retailer, pawnbroker or dealer, and shall be subject to inspection by any peace officer at all reasonable times.

Article 3. Rifles and Shotguns

6-8-301. Sale or delivery to person from contiguous state; restrictions and requirements.

(a) It is lawful for a licensed importer, licensed manufacturer, licensed dealer or a licensed collector (licensed under the federal Gun Control Act of 1968) whose place of business is in the state of Wyoming to sell or deliver a rifle or shot-gun to a resident of a state contiguous to the state of Wyoming, subject to the following restrictions and requirements:

(i) The purchaser's state of residence must permit the sale or delivery by law;

(ii) The sale shall fully comply with the legal conditions of sale in both contiguous states; and

(iii) The purchaser and the licensee shall have, prior to the sale or delivery for sale of the rifle or shotgun, complied with all of the requirements of section 922(c) of the federal Gun Control Act of 1968, applicable to interstate transactions other than at the licensee's business premises.

6-8-302. Resident may purchase or receive delivery in contiguous state; restrictions and requirements.

(a) A Wyoming resident otherwise qualified may purchase or receive delivery of a rifle or shotgun in a state contiguous to the state of Wyoming, subject to the following restrictions and requirements:

(i) The sale must fully comply with the legal conditions of sale in both contiguous states; and

(ii) Prior to the sale or delivery for sale of the rifle or shotgun, the purchaser and the licensee have complied with all of the requirements of section 922(c) of the federal Gun Control Act of 1968, applicable to interstate transactions other than at the licensee's business premises.

6-8-303. Provisions inapplicable in certain instances.

(a) This article does not apply to:

(i) Transactions between licensed importers, licensed manufacturers, licensed dealers and licensed collectors; or

(ii) The loan or rental of a firearm to any person for temporary use for lawful sporting purposes.

(b) This article does not preclude any person who is participating in any organized rifle or shotgun match or contest, or is hunting, in a state other than his state of residence and whose rifle or shotgun has been lost or stolen or has become inoperative in the other state from purchasing a rifle or shotgun in the other state

from a licensed dealer if the person presents to the dealer a sworn statement:

(i) That his rifle or shotgun was lost or stolen or became inoperative while participating in such a match or contest, or while engaged in hunting, in the other state; and

(ii) Identifying the chief law enforcement officer of the locality in which the person resides, to whom the licensed dealer shall forward the statement by registered mail.

Article 4. Regulation by State

6-8-401. Firearm, weapon and ammunition regulation and prohibition by state.

(a) The sale, transfer, purchase, delivery, taxation, manufacture, ownership, transportation, storage, use and possession of firearms, weapons and ammunition shall be authorized, regulated and prohibited by the state, and regulation thereof is preempted by the state. Except as authorized by W.S. 15-1-103(a)(xviii), no city, town or county shall authorize, regulate or prohibit the sale, transfer, purchase, delivery, taxation, manufacture, ownership, transportation, storage, use or possession of firearms, weapons and ammunition except as specifically provided by this chapter. This section shall not affect zoning or other ordinances which encompass firearms businesses along with other businesses. Zoning and other ordinances which are designed for the purpose of restricting or prohibiting the sale, purchase, transfer or manufacture of firearms or ammunition as a method of regulating firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this section and are prohibited.

(b) As used in this article, **"firearm"** means any weapon which will or is designed to expel any projectile by the action of an explosive.

[Current through 2000 Budget Session]

