

Concealed Carry Law: Background for Business

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SPEAKERS



David Froiland – Partner
Foley & Larder, LLP



Kevin Little – Director of Public Policy
Greater Madison Chamber of Commerce



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In this presentation, you will learn:

- What the law permits and when it goes into effect
- Your rights and responsibilities as a business owner
- Potential liability associated with your policy
- Suggestions moving forward



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2011 Wisconsin Act 35

- Wisconsin becomes the 49th state to allow concealed carry
- Wisconsin is a “shall issue” state
- Licenses will be administered by the Dept of Justice
- Takes effect on November 1, 2011



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2011 Wisconsin Act 35

For the purposes of this law, a “weapon” is defined as a:

- Handgun
- Knife (other than a switchblade)
- Billy club
- Electric weapon



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Current Law: Open Carry

Article 1, Section 25: *“The people have a right to keep and bear arms for security, defense, hunting, recreation or other lawful purpose”*




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Changes from Previous Law

Previous law: Any person except a police officer who goes armed in public with a concealed and dangerous weapon is guilty of a Class A misdemeanor.

Act 35  Licensed individual may carry a concealed weapon in most public places

Previous law: In general, any firearm in a vehicle has to be unloaded and encased

Act 35  Licensed individuals are permitted to transport firearms in vehicles, ATVs, boats and noncommercial aircrafts. Additionally, permits loaded, uncased handguns in a motor vehicles



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In general, you may not carry in the following locations:

- Police station, sheriff's office, other law enforcement
- Prisons, jails, secure correctional facilities
- Secured mental health facilities
- County, state or federal courthouses
- Municipal courtroom (if in session)
- Past security checkpoint in airport
- School grounds



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Employer Restrictions

General rule:

An employer may prohibit an employee from carrying a concealed weapon during the course of the employee's employment.



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Employer Restrictions

Exceptions to the Rule:

- An employer may NOT prohibit an employee from carrying a concealed weapon or ammunition in the employee's own motor vehicle, regardless of whether:
 - 1) The vehicle is used in the course of employment
 - 2) The vehicle is driven or parked on property used by the employer



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Signs Must be:

- At least 5 x 7 inches
- In a prominent location at all entrances or access points



Liability

No liability to employers who permit concealed carry:

- An employer who does not prohibit employees from carrying a concealed weapon is “immune” from any liability arising from their decision



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Liability

What does this mean for employers who make the posting and prohibit concealed carry?

- No immunity for these employers under new law
- However, employers don't have immunity now anyway. New law unlikely to expand employer exposure



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Next Steps

- Become informed about the law
- Develop a policy that works for your business
- Internal and external communication
- Post signage – if needed



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QUESTIONS?



Kevin Little
Greater Madison Chamber of Commerce
(608) 443-1949
klittle@greatermadisonchamber.com



David Froiland
Foley & Lardner, LLP
(414) 297-5579
dfroiland@foley.com



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www.GreaterMadisonChamber.com