



2023 ASSEMBLY BILL 677

November 27, 2023 - Introduced by Representatives JOERS, SUBECK, HONG, CONLEY, EMERSON, ANDRACA, RATCLIFF, VINING, BARE, SHELTON, CONSIDINE, OHNSTAD, SINICKI, J. ANDERSON, PALMERI, STUBBS, JACOBSON, MADISON and CLANCY, cosponsored by Senators HESSELBEIN, SMITH, TAYLOR, L. JOHNSON, LARSON, ROYS, SPREITZER and AGARD. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to amend* 939.6195 (1) (a) 1. and 941.291 (1) (b); and *to create* 941.293
2 of the statutes; **relating to:** prohibition against undetectable firearms,
3 possessing a frame or receiver of a firearm without a serial number, and
4 providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits the manufacture, transportation, sale, possession, and carrying of firearms that cannot be detected by metal detectors or airport x-ray machines or scanners. Federal law currently has a comparable prohibition; under this bill, the person would violate state law as well. A person who violates the state prohibition is guilty of a Class G felony.

This bill also prohibits the sale, posting, provision, or possession of plans for manufacturing an undetectable firearm. A person who violates the prohibition is guilty of a Class H felony.

Finally, the bill prohibits the possession of a frame or a receiver of a firearm that is not marked with a serial number. A person who violates the prohibition is guilty of a Class I felony.

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Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

1 **SECTION 1.** 939.6195 (1) (a) 1. of the statutes is amended to read:

2 939.6195 (1) (a) 1. A violation of s. 941.29 ~~or~~, 941.2905, or 941.293.

3 **SECTION 2.** 941.291 (1) (b) of the statutes is amended to read:

4 941.291 (1) (b) “Violent felony” means any felony, or the solicitation, conspiracy,
5 or attempt to commit any felony, under s. 943.23 (1m) or (1r), 1999 stats., or s. 940.01,
6 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198,
7 940.20, 940.201, 940.203, 940.204, 940.21, 940.225, 940.23, 940.285 (2), 940.29,
8 940.295 (3), 940.30, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26,
9 941.28, 941.29, 941.293, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02,
10 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.32, 943.81, 943.82, 943.83, 943.85,
11 943.86, 943.87, 943.88, 943.89, 943.90, 946.43, 947.015, 948.02 (1) or (2), 948.025,
12 948.03, 948.04, 948.05, 948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is
13 a financial institution, as defined in s. 943.80 (2), a felony, or the solicitation,
14 conspiracy, or attempt to commit a felony under s. 943.84 (1) or (2).

15 **SECTION 3.** 941.293 of the statutes is created to read:

16 **941.293 Undetectable firearms; serial numbers on firearm**
17 **components. (1)** In this section:

18 (a) “Major component” means the barrel, the slide or cylinder, or the frame or
19 receiver of a firearm.

20 (b) “Undetectable firearm” means any of the following:

ASSEMBLY BILL 677**SECTION 3**

1 1. A firearm that, after the removal of grips, stocks, and magazines, is not
2 detectable by a metal detector calibrated to detect the security exemplar, as defined
3 in 18 USC 922 (p) (2) (C).

4 2. A firearm if any major component of it does not generate an image that
5 accurately depicts the shape of the component when subject to inspection by security
6 scanners, x-ray machines, or other security devices commonly used at airports.

7 **(2)** (a) 1. Whoever sells, offers to sell, transfers, transports, manufactures,
8 possesses, or goes armed with an undetectable firearm is guilty of a Class G felony.

9 2. Whoever sells, offers to sell, transfers, posts, provides to another, or
10 possesses plans for manufacturing an undetectable firearm is guilty of a Class H
11 felony.

12 (b) Paragraph (a) does not apply to a person who is licensed to manufacture
13 undetectable firearms while the person is on official duty. Paragraph (a) 1. does not
14 apply to a law enforcement officer while on official duty or to armed forces or national
15 guard personnel while on official duty.

16 **(3)** (a) Whoever possesses a frame or a receiver of a firearm that is not attached
17 to a firearm and that is not marked or engraved with a serial number is guilty of a
18 Class I felony.

19 (b) Paragraph (a) does not apply to a firearm frame or receiver manufactured
20 before 1968, a person who is licensed to manufacture undetectable firearms while the
21 person is on official duty, a law enforcement officer while on official duty, or armed
22 forces or national guard personnel while on official duty.

23 **(END)**