



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-5020/1  
CMH:klm

## 2017 ASSEMBLY BILL 1024

March 15, 2018 - Introduced by Representatives SUBECK, SARGENT, BERCEAU, BROSTOFF, HEBL, SINICKI, C. TAYLOR, ZEPNICK and SPREITZER, cosponsored by Senator RISSER. Referred to Committee on Criminal Justice and Public Safety.

1     **AN ACT to renumber** 941.29 (1g) (a); **to amend** 165.845 (2); and **to create** 165.63  
2           (2) (c), 165.845 (1m), 175.35 (2g) (d) 3., 941.29 (1g) (ad) and 941.29 (1m) (h) of  
3           the statutes; **relating to:** prohibiting a fugitive from justice from possessing a  
4           firearm and providing a criminal penalty.

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### *Analysis by the Legislative Reference Bureau*

Current law prohibits from possessing a firearm persons who have been convicted of a felony, persons who are subject to certain injunctions such as a domestic abuse injunction, and persons who have been subject to involuntary commitment for mental health treatment and ordered not to possess a firearm. This bill adds that a person who is a fugitive from justice is prohibited from possessing a firearm. This bill defines "fugitive from justice" as someone who, after having committed a criminal offense, leaves the jurisdiction of the court where such crime has taken place or hides within such jurisdiction to escape prosecution. A person who violates the prohibition is guilty of a Class G felony.

This bill also requires that the Department of Justice collect information identifying persons who are fugitives from justice. DOJ must then convey that information to the national instant criminal background check system for the purpose of handgun and concealed carry licenses background checks and respond to

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inquiries from law enforcement and courts regarding whether a person is prohibited from possessing a firearm.

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

1           **SECTION 1.** 165.63 (2) (c) of the statutes is created to read:

2           165.63 (2) (c) Individuals who may not possess a firearm under s. 941.29 (1m)  
3 (h).

4           **SECTION 2.** 165.845 (1m) of the statutes is created to read:

5           165.845 (1m) The department of justice shall:

6           (a) Collect information identifying individuals who are fugitives from justice,  
7 as defined in s. 941.29 (1g) (ad), to permit an accurate firearms restrictions record  
8 search under s. 175.35 (2g) (c), a background check under s. 175.60 (9g) (a), or an  
9 accurate response under s. 165.63.

10           (b) Furnish all persons who can provide information under par. (a) with forms  
11 or instructions that specify the nature of the information required under par. (a), the  
12 time it is to be provided, and any other matters that facilitate collection and  
13 identification.

14           **SECTION 3.** 165.845 (2) of the statutes is amended to read:

15           165.845 (2) All persons in charge of law enforcement agencies and other  
16 criminal and juvenile justice system agencies shall supply the department of justice  
17 with the information described in ~~sub. (1) (a)~~ subs. (1) (a) and (1m) (a) on the basis of the  
18 forms or instructions or both to be supplied by the department ~~under sub. (1) (a)~~. The  
19 department may conduct an audit to determine the accuracy of the data and other  
20 information it receives from law enforcement agencies and other criminal and  
21 juvenile justice system agencies.

