

1991 Assembly Bill 86

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1991 WISCONSIN ACT 137

AN ACT *to amend* 941.26 (2) and 941.26 (3); *to repeal and recreate* 941.27 (1); and *to create* 941.26 (1m) of the statutes, **relating to:** conversion of a weapon to provide full-automatic fire, defining “machine gun” and providing a penalty.

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

SECTION 1. 941.26 (1m) of the statutes is created to read:

941.26 (1m) No person may take a firearm that is not designed to shoot more than one shot, without manual reloading, by a single function of the trigger and modify the firearm so that it does shoot more than one shot, without manual reloading, by a single function of the trigger.

SECTION 2. 941.26 (2) of the statutes is amended to read:

941.26 (2) Any person violating ~~any of the provisions of this section sub. (1)~~ is guilty of a Class E felony. Any person violating sub. (1m) is guilty of a Class C felony.

SECTION 3. 941.26 (3) of the statutes is amended to read:

941.26 (3) ~~The provisions of this~~ This section shall does not apply to the sale, possession, modification, use or transportation of any such weapons or containers under sub. (1) or (1m) to or by any armed forces or national guard personnel in the line of duty, any civil enforcement officer of the state or of any city or county, or any person duly authorized by the chief of police of any city or the sheriff of any county to sell, possess, modify, use or transport such those weapons or contain-

ers. This section does not apply to the restoration of any weapon under sub. (1) or (1m) by a person having a license to collect firearms as curios or relics issued by the U.S. department of the treasury. The restriction on transportation contained in this section ~~shall~~ does not apply to common carriers.

SECTION 3m. 941.27 (1) of the statutes is repealed and recreated to read:

941.27 (1) In ss. 941.25 and 941.26, “machine gun” means any of the following:

(a) Any weapon that shoots, is designed to shoot or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.

(b) The frame or receiver of any weapon described under par. (a) or any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a weapon described under par. (a).

(c) Any combination of parts from which a weapon described under par. (a) can be assembled if those parts are in the possession or under the control of a person.

SECTION 4. Initial applicability. This act first applies to offenses occurring on the effective date of this SECTION.