



## 1995 ASSEMBLY BILL 34

January 19, 1995 - Introduced by Representatives DOBYNS, DUFF, GROTHMAN, GOETSCH, LADWIG, SCHNEIDERS, UNDERHEIM, OTTE, MUSSER, VRAKAS, URBAN, VANDER LOOP, KAUFERT, NASS, SKINDRUD, BRANDEMUEHL, OWENS, ZIEGELBAUER, FREESE, GARD and LA FAVE, cosponsored by Senators BUETTNER, MOEN, ROSENZWEIG, DRZEWIECKI, PETAK, CHVALA, A. LASEE, SCHULTZ and BRESKE. Referred to Committee on Criminal Justice and Corrections.

1     **AN ACT to create** 941.26 (4) (L) of the statutes; **relating to:** possession of  
2     containers that omit oleoresin of capsicum and providing penalties.

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### *Analysis by the Legislative Reference Bureau*

Under current law, persons who have prior felony convictions are prohibited from possessing a firearm. Current law also allows adults to possess certain types of oleoresin of capsicum (“pepper spray”) containers. This bill prohibits convicted felons from possessing these pepper spray containers. Upon conviction, a violator may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.

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

3           **SECTION 1.** 941.26 (4) (L) of the statutes is created to read:  
4           941.26 (4) (L) Any person who has been convicted of a felony in this state or has  
5           been convicted of a crime elsewhere that would be a felony if committed in this state  
6           who possesses a device or container described under par. (a) is subject to a Class A  
7           misdemeanor.

8           **SECTION 2. Initial applicability.**

