



2023 ASSEMBLY BILL 761

December 6, 2023 - Introduced by Representatives SUBECK, J. ANDERSON, ANDRACA, CONLEY, CONSIDINE, SINICKI, EMERSON, C. ANDERSON, BARE, CABRERA, CLANCY, JACOBSON, JOERS, OHNSTAD, PALMERI, RATCLIFF, STUBBS, HAYWOOD and MADISON, cosponsored by Senators LARSON, TAYLOR, HESSELBEIN, L. JOHNSON and ROYS. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT to create** 175.36 of the statutes; **relating to:** storage of firearms in retail
2 facility when unattended.

Analysis by the Legislative Reference Bureau

This bill requires that a retail business that sells firearms must secure all firearms when the business is unattended. Under the bill, the firearms must be secured in one of the following ways: in a locked fireproof safe, locked steel gun cabinet, or vault; in a steel-framed display case with specified reinforcements; with a hardened steel rod or cable; in a windowless, internal room that is equipped with a steel security door; or behind a steel roll-down door or security gate.

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

3 **SECTION 1.** 175.36 of the statutes is created to read:
4 **175.36 Storage of firearms by retail entity.** Any person who engages in the
5 retail commercial sale or transfer of firearms shall ensure, when the place of business
6 is unattended, that each firearm that is located in the place of business is secured
7 using one of the following methods:

ASSEMBLY BILL 761**SECTION 1**

1 **(1)** The firearm is stored in a locked fireproof safe, in a locked steel gun cabinet,
2 or in a vault in the business premises.

3 **(2)** The firearm is stored in a display case that is made with a steel frame that
4 is no thinner than 12 gauge, is fitted with a hardened steel lock where the case opens
5 to access the firearm, and is fitted either with smash-proof polycarbonate panels
6 that are at least one-quarter inch thick or with glass that is protected with a security
7 or protective laminate film that is specifically designed to delay entry and
8 unauthorized access, with a minimum thickness of at least eight-thousandths of an
9 inch, and that includes an anchoring system on all seams of each glass panel and is
10 also anchored to the frame. If the location of the retail store is at street level, one of
11 the following is also required:

12 (a) Concrete or hardened steel bollards, or other barriers such as security
13 planters or other devices with a similar structural integrity of bollards, that protect
14 the location's front entrance, any floor-to-ceiling windows, and any other doors that
15 could be breached by a vehicle.

16 (b) Locking steel roll-down doors that are installed on all perimeter doors and
17 floor-to-ceiling windows, unless the installation would violate a state or local fire
18 code.

19 **(3)** The firearm is secured with a hardened steel rod or cable of at least
20 one-eighth inch in diameter through the trigger guard of the firearm. The steel rod
21 or cable shall be secured with a hardened steel lock that has a shackle. The lock and
22 shackle shall be protected or shielded from the use of a bolt cutter, and the rod or cable
23 shall be anchored in a manner that prevents the removal of the firearm from the
24 premises. If the location of the retail store is at street level, one of the following is
25 also required:

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1 (a) Concrete or hardened steel bollards, or other barriers such as security
2 planters or other devices with a similar structural integrity of bollards, that protect
3 the location's front entrance, any floor-to-ceiling windows, and any other doors that
4 could be breached by a vehicle.

5 (b) Locking steel roll-down doors that are installed on all perimeter doors and
6 floor-to-ceiling windows, unless the installation would violate a state or local fire
7 code.

8 (4) The firearm is stored in a windowless room that is equipped with a steel
9 security door fitted with a deadbolt lock and that does not have a door exposed to the
10 outside of the building.

11 (5) The firearm is stored behind a steel roll-down door or security gate, or the
12 firearm is secured in a locked steel gun rack by use of a hardened steel bar.

13

(END)