



## 2023 SENATE BILL 636

November 7, 2023 - Introduced by Senators HESSELBEIN, SMITH, TAYLOR, L. JOHNSON, LARSON, ROYS, SPREITZER and AGARD, cosponsored by Representatives JOERS, SUBECK, HONG, CONLEY, EMERSON, ANDRACA, RATCLIFF, VINING, BARE, SHELTON, CONSIDINE, OHNSTAD, SINICKI, J. ANDERSON, PALMERI, STUBBS, JACOBSON, MADISON and CLANCY. Referred to Committee on Judiciary 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.

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### *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.

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*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:

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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)**