

~~whether such weapon shall be returned to its rightful owner or destroyed by the crime laboratory division is subject to s.968.20 (3).~~

SECTION 2. 941.28 of the statutes is created to read:

941.28 Possession of short-barreled shotgun or short-barreled rifle. (1) In this section:

(a) "Rifle" means a firearm designed or redesigned, made or remade, and intended to be fired from the shoulder or hip and designed or redesigned and made or remade to use the energy of a propellant in a metallic cartridge to fire through a rifled barrel a single projectile for each pull of the trigger.

(b) "Short-barreled rifle" means a rifle having one or more barrels having a length of less than 16 inches measured from closed breech or bolt face to muzzle or a rifle having an overall length of less than 26 inches.

(c) "Short-barreled shotgun" means a shotgun having one or more barrels having a length of less than 18 inches measured from closed breech or bolt face to muzzle or a shotgun having an overall length of less than 26 inches.

(d) "Shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder or hip and designed or redesigned and made or remade to use the energy of a propellant in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(2) No person may sell or offer to sell, transport, purchase, possess or go armed with a short-barreled shotgun or short-barreled rifle.

(3) Any person violating this section is guilty of a Class E felony.

(4) This section does not apply to the sale, purchase, possession, use or transportation of a short-barreled shotgun or short-barreled rifle to or by any armed forces or national guard personnel in line of duty, any peace officer of the United States or of any political subdivision of the United States or any person who has complied with the licensing and registration requirements under 26 USC 5801 to 5872. This section does not apply to the manufacture of short-barreled shotguns or short-barreled rifles for any person or group authorized to possess these weapons. The restriction on transportation contained in this section does not apply to common carriers. This section shall not apply to any firearm that may be lawfully possessed under federal law, or any firearm that could have been lawfully registered at the time of the enactment of the national firearms act of 1968.

(5) Any firearm seized under this section is subject to s. 968.20 (3) and is presumed to be contraband.

SECTION 3. **Effective date.** This act takes effect on the first day of the 3rd month commencing after its publication.

1979 Senate Bill 508

Date published: February 29, 1980

CHAPTER 116, Laws of 1979

AN ACT to renumber 53.375 (3); to renumber and amend 53.375 (1) (d); to amend 53.375 (title), (1) (intro.), (a) and (c), (2), and (4) (b), as renumbered; and to create 161.465 of the statutes, relating to restricting dangerous drugs and liquor in prisons and jails and providing penalties.

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

SECTION 1. 53.375 (title) and (1) (intro.), (a) and (c) of the statutes are amended to read:

53.375 (title) Restrictions on liquor and dangerous drugs; placement of prisoners. (1) (intro.) Any sheriff, jailer or keeper of any prison, jail or house of correction or any other person who does any of the following with respect to a prisoner within the precincts of any prison, jail or house of correction shall be fined not more than \$500, \$10,000 or imprisoned not more than 6 months or both:

(a) Sells, gives or delivers any ~~controlled substance~~ or intoxicating liquor to the prisoner.

(c) Has within his or her possession in the prison, jail or house of correction any ~~controlled substance~~ or intoxicating liquor, with intent to sell, give or deliver the ~~substance~~ or liquor to the prisoner.

SECTION 2. 53.375 (1) (d) of the statutes is renumbered 53.375 (3) and amended to read:

53.375 (3) Places Any sheriff, jailer or keeper of any prison, jail or house of correction or any other person who places, keeps together or knowingly permits to be kept together prisoners of different sexes within the precincts of any prison, jail or house of correction shall be fined not more than \$500 or imprisoned not more than 6 months or both.

SECTION 3. 53.375 (2) of the statutes is amended to read:

53.375 (2) Any prisoner who uses intoxicating liquor in violation of s. 53.37 (2) shall be fined not more than \$500, \$10,000 or imprisoned not more than 6 months or both.

SECTION 4. 53.375 (3) of the statutes is renumbered 53.375 (4), and 53.375 (4) (b), as renumbered, is amended to read:

53.375 (4) (b) "Precinct" means a place where any activity is conducted by the prison, jail or house of correction.

SECTION 5. 161.465 of the statutes is created to read:

161.465 Distribution to prisoners. (1) Any person who violates s. 161.41 (1) or (1m) by delivering or possessing with intent to deliver a controlled substance to a prisoner within the precincts of any prison, jail or house of correction is subject to the applicable fine under s. 161.41 (1) or (1m) or a term of imprisonment of up to twice that authorized by s. 161.41 (1) or (1m) or both.

(2) In this section, "precinct" means a place where any activity is conducted by a prison, jail or house of correction.

CHAPTER 117, Laws of 1979

AN ACT to repeal 975.02 to 975.05, 975.13 and 975.14; to renumber and amend 975.09; to amend 46.10 (2), 51.05 (2), 51.37 (1), 51.42 (9) (a), 51.437 (12) (a) and 975.12; to repeal and recreate 975.01, 975.15 and 975.17; and to create 975.09 (2) and (3) and 975.12 (3) of the statutes, relating to commitment and treatment of persons convicted of sex crimes.