

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 1999 SENATE BILL 6**

May 25, 1999 – Offered by COMMITTEE ON JUDICIARY AND CONSUMER AFFAIRS.

1     **AN ACT** *to renumber* 175.37 (1); *to amend* 175.37 (title) and 175.37 (2); and *to*  
2             *create* 175.37 (1d), 175.37 (1m) and 175.37 (1s) (title) of the statutes; **relating**  
3             **to:** the transfer of handguns and providing a penalty.

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

4             **SECTION 1.** 175.37 (title) of the statutes is amended to read:

5             **175.37** (title) **Warning whenever Locking device for handguns;**  
6             **warning required when transferring a firearm.**

7             **SECTION 2.** 175.37 (1) of the statutes is renumbered 175.37 (1s).

8             **SECTION 3.** 175.37 (1d) of the statutes is created to read:

9             **175.37 (1d)** DEFINITIONS. In this section:

10            (a) “Firearms dealer” means any person engaged in the business of importing,  
11            manufacturing or dealing in firearms and having a license as an importer,  
12            manufacturer or dealer issued by the U.S. department of the treasury.

1 (b) “Handgun” has the meaning given in s. 175.35 (1) (b).

2 (c) “Locking device” means a device that is installed on or incorporated into the  
3 design of a handgun, that is secured by a key or combination lock and that prevents  
4 discharge of the handgun unless it is removed, unlocked or deactivated.

5 **SECTION 4.** 175.37 (1m) of the statutes is created to read:

6 **175.37 (1m)** LOCKING DEVICE REQUIRED FOR CERTAIN SALES OR TRANSFERS OF A  
7 HANDGUN. (a) Except as provided in par. (b), when a firearms dealer sells or transfers  
8 any handgun, the firearms dealer may not transfer possession of the handgun to  
9 another person unless the firearms dealer provides the person taking possession of  
10 the handgun with a locking device that is appropriate for that handgun. A locking  
11 device provided under this paragraph shall be constructed of durable material that  
12 is sufficiently strong to prevent the device from being easily disabled or removed from  
13 the handgun without use of the key or combination for the lock.

14 (b) A firearms dealer may transfer possession of a handgun to another person  
15 without providing a locking device that is appropriate for the handgun if any of the  
16 following applies:

17 1. The person taking possession of the handgun is another firearms dealer.

18 2. The handgun is classified as an antique by regulations of the U.S.  
19 department of the treasury and because of its design and manufacture cannot be  
20 fitted with an appropriate locking device.

21 (c) Paragraph (a) does not prohibit a firearms dealer from charging the person  
22 who is buying a handgun or the person to whom a handgun is being transferred for  
23 the locking device in addition to the purchase price charged for the handgun.

24 **SECTION 5.** 175.37 (1s) (title) of the statutes is created to read:

25 **175.37 (1s)** (title) WARNING UPON TRANSFER OF FIREARM.

