

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3090/1dn
JEO:jlg:mrc

October 14, 1999

Please review this draft carefully to make sure that it does what you want it to do. Note that it does not change the fee provided under s. 175.35 (2i), stats., for background checks. Does the fee need to be changed to reflect the new duty to conduct a fingerprint record check?

Also, note that the draft changes the definition of "handgun" in s. 175.35 (1) (b), stats., based on language suggested by persons in the Milwaukee crime lab. The draft strikes "explosive" and changes it to "explosion" because the latter word is the proper noun form to use in conjunction with "other form of *combustion*", which is being added to the definition. (The September 14, 1999, e-mail message from Monty Lutz also referred to "explosion or other form of combustion.")

Finally, as you may know, the definition of "handgun" in s. 175.35 (1) (b), stats., is referred to in other statutes. Thus, changing the definition in s. 175.35 (1) (b), stats., will have the effect of changing the definition of "handgun" for purposes of those other statutes as well. See ss. 938.208 (1) (b) (criteria for holding a juvenile in a secure detention facility), 938.34 (4m) (b) 2. (circumstances under which a juvenile adjudicated delinquent may be given correctional placement), 941.237 (1) (d) (carrying handgun where alcohol beverages may be sold and consumed), 941.296 (1) (b) (use or possession of a handgun and an armor-piercing bullet during crime) and 968.20 (3) (b) (relating to return of seized property), stats. Is that okay?

Let me know if you have questions or changes.

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