

2001 ASSEMBLY BILL 346

April 18, 2001 – Introduced by Representatives JESKEWITZ, BIES, FRISKE, JENSEN, LA FAVE, MONTGOMERY, LADWIG, M. LEHMAN, VRAKAS, STARZYK, OTT, RHOADES, OWENS, URBAN, STONE, SYKORA, NASS, MUSSER, LIPPERT, KRAWCZYK, FREESE, SERATTI and TOWNSEND, cosponsored by Senators HUELSMAN, SCHULTZ and ROESSLER. Referred to Committee on Criminal Justice.

1 **AN ACT** *to repeal* 948.60 (1) of the statutes; **relating to:** possession of a
2 dangerous weapon by a minor and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law provides penalties for various kinds of conduct involving a dangerous weapon, such as endangering safety by the use of a dangerous weapon, carrying a concealed dangerous weapon, and committing other crimes while possessing, using, or threatening to use a dangerous weapon. For purposes of these penalty provisions, “dangerous weapon” is usually defined to include all of the following: 1) a firearm, whether loaded or unloaded; 2) an electric weapon; 3) a device designed as a weapon and capable of producing death or great bodily harm; and 4) any other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

However, the current law relating to possession of a dangerous weapon by a minor (a person under 18 years of age) uses a different, narrower definition of “dangerous weapon.” Under this law, no minor may possess or go armed with a dangerous weapon and no person may intentionally sell, loan, or give a dangerous weapon to a minor, except that a minor may possess or be given a dangerous weapon for purposes of using the weapon to hunt, to engage in target practice under the supervision of an adult, or to participate in a course of instruction in the traditional and proper use of the weapon under the supervision of an adult. For purposes of this law, “dangerous weapon” means any of the following: 1) a firearm, whether loaded or unloaded; 2) an electric weapon; 3) metallic knuckles or knuckles of any substance that could be put to the same use with the same or similar effect as metallic knuckles;

