

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3426/1dn

RLR:jld:pg

September 13, 2001

Adrienne Ramirez:

1. Please review the definition of "firearm flash suppressor" in this bill to determine whether it covers the devices you intend to prohibit. I found an explanation in which a flash suppressor is described as a device that allows the gas produced in the explosion of gunpowder to cool sufficiently before it contacts air outside the firearm so that the gas does not burn on contact with the air. I do not know if this is the only means used to suppress a flash or if there are other methods. I also do not know if firearms are made to incorporate flash suppression technology or if a separate device must be added to the firearm. The definition in the bill does not specify whether the prohibition applies only to separate devices or also devices that are part of the firearm. If firearms can be made with the flash suppression technology incorporated in the original design of the firearm do you want this bill to prevent possession of such firearms, or should the bill only prevent possession of separate flash suppressors that may be attached to a firearm?
2. As we discussed on the phone, this bill prohibits anyone (except a police officer or member of the armed forces or national guard) from possessing a firearm flash suppressor, rather than just felons. The similar prohibition against possession of a firearm silencer at s. 941.298, stats., prohibits sale and distribution of silencers as well as possession. Do you want this bill to prohibit sale and distribution of flash suppressors?
3. Under current law, if a juvenile is found delinquent or found to be in need of protective services as a result of violating the prohibition against selling, distributing, or possessing a silencer and the juvenile escapes from custody, the county human services department may release the juvenile's name in order to protect the public. This bill similarly allows release of a juvenile's name if the juvenile is found to have violated the prohibition related to flash suppressants. Under current law, violation of the prohibition related to silencers is included in the definition of "racketeering activity." This bill similarly adds violation of the prohibition related to flash suppressants to the definition of "racketeering activity."

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