

**2001 DRAFTING REQUEST**

**Bill**

Received: **12/19/2001**

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **Luther Olsen (608) 266-8077**

By/Representing: **kerry**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - misc.  
Trade Regulation - other**

Extra Copies: **RNK  
MGG**

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Alarm systems for retail gun sellers

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 12/19/2001	rschluet 01/23/2002	pgreensl 01/23/2002	_____			S&L
/1			jfrantze 01/23/2002	_____	lrb_docadmin 01/23/2002	lrb_docadmin 02/13/2002	

FE Sent For:

*Atintw.*

<END>

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By/Representing: kerry

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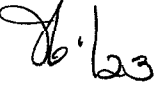
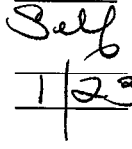

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1?	rmarchan	 12-20-01	 12-16-01	 Self 1/23			
		 1-1/22 kmg					

FE Sent For:

<END>

**Marchant, Robert**

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**From:** Ryan, Robin  
**Sent:** Tuesday, December 18, 2001 11:48 AM  
**To:** Marchant, Robert  
**Subject:** alarms for gun dealers

FYI, the federal law for licensing firearms dealers is at 18 USC 923. There is a definition of "firearms dealer" at s. 175.35 (1) (ar), but I'm not sure it is applicable because I think that the requester just wants to cover people who sell guns out of retail business shops, not necessarily importers and manufacturers.

**Marchant, Robert**

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**From:** Ryan, Robin  
**Sent:** Monday, December 17, 2001 2:51 PM  
**To:** Marchant, Robert  
**Subject:** FW: Request

Here is the request.

-----Original Message-----

**From:** Ryan, Robin  
**Sent:** December 14, 2001 2:48 PM  
**To:** Marchant, Robert; Kite, Robin  
**Subject:** Request

Kerry from Olson's office wants a draft to require that business persons who sell guns retail (she referenced persons who have Class 2 licenses to sell weapons) to have alarm systems. She didn't have any specifications for such alarm system. The penalty for violating the requirement should be forfeiture. Is this trade regulation or buildings?

Tcf Terry

① Exempt individuals who sell one of their residences

② \$100 - \$500 forfeiture



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-4455/2 1

RJM:.....  
R32 King  
Rim NR

IN: 12-19

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Draft

Gen

1 AN ACT ...; relating to: alarm systems for sellers of firearms and providing a  
2 penalty.

**Analysis by the Legislative Reference Bureau**

This bill prohibits any person from offering to sell firearms to the public, unless the place of business where the firearms are offered for sale is equipped with an electronic system that is designed to monitor the place of business for the presence of; detect and summon aid for, or issue an alarm as a result of, an unauthorized intrusion. The prohibition does not apply, however, to an individual who offers to sell firearms at his or her residence. → A fe - S/L

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

3 SECTION 1. 167.08 of the statutes is created to read:

4 **167.08 Alarm systems for sellers of firearms.** (1) DEFINITION. In this  
5 section, "firearm" means a weapon that is designed to act by force of gunpowder to  
6 fire a projectile.

7 (2) ALARM SYSTEM REQUIRED. Except as provided under sub. (3), no person may  
8 offer to sell firearms to the public unless the place of business where the firearms are

1 offered for sale is equipped with an electronic system that is designed to monitor the  
2 place of business for the presence of, detect and summon aid for, or issue an alarm  
3 as a result of, an unauthorized intrusion.

4 (3) EXCEPTION. Subsection (2) does not apply to an individual who offers to sell  
5 firearms at the individual's residence.

6 (4) PENALTY. A person who violates sub. (2) may be required to forfeit not less  
7 than \$100 nor more than \$500.

8 **SECTION 2. Effective date.**

9 (1) This act takes effect on the first day of the 6th month beginning after  
10 publication.

11

(END)



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-4455/1dn

RJM:....r..

1  
js King

Date

Representative Olsen:

Attached is the bill <sup>that</sup> you requested regarding alarm systems for retail sellers of firearms. As you review the bill, please note the definition of "firearm," which is based on s. 167.31 (1) (c), stats., the specifications for the alarm system provided under proposed s. 167.08 (2), and the delayed effective date, which will give scllers time to have the required alarm system installed.

If you desire any changes to the draft or if you have any questions, please feel free to call.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: robert.marchant@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-4455/1dn  
RJM:rs&kmg:jf

January 23, 2002

Representative Olsen:

Attached is the bill that you requested regarding alarm systems for retail sellers of firearms. As you review the bill, please note the definition of "firearm," which is based on s. 167.31 (1) (c), stats., the specifications for the alarm system provided under proposed s. 167.08 (2), and the delayed effective date, which will give sellers time to have the required alarm system installed.

If you desire any changes to the draft or if you have any questions, please feel free to call.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: [robert.marchant@legis.state.wi.us](mailto:robert.marchant@legis.state.wi.us)

**Emery, Lynn**

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**From:** Emery, Lynn  
**Sent:** Monday, February 04, 2002 9:50 AM  
**To:** Rep.Olsen  
**Subject:** LRB-4455/1 & 1dn (attached as requested)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)  
(E-Mail: lynn.emery@legis.state.wi.us) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703

2/4/2002



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

January 23, 2002

### MEMORANDUM

To: Representative Olsen

From: Robert J. Marchant, Legislative Attorney

Re: LRB-4455/1 Alarm systems for retail gun sellers

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY  JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 261-4454 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

**Emery, Lynn**

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**From:** Lee, Cari  
**Sent:** Wednesday, February 13, 2002 2:42 PM  
**To:** LRB.Legal  
**Subject:** Jacket Request for LRB 4455/1

I would like to request that LRB 4455/1 be jacketed for the Assembly. I am also sending over the memo request in writing for your files.

Thank you!

Cari Lee  
Legislative Aide  
Office of Representative Luther S. Olsen  
41st Assembly District

608-266-8077