

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

LRB-3165/P1dn  
CMH:bjk:jf

September 4, 2009

Brett:

I made this draft a preliminary draft because you may want to change some of the details. You provided many laws and ordinances as models so some details that vary among these models, such as the penalty for violating the provision or the timeframe in which one must report a loss or theft of a firearm, may need changing. Also, please note that, as drafted, the Department of Justice will function as a clearinghouse for information.

I did not amend s. 946.41 to include falsely reporting to a police officer that a firearm has been lost or stolen. Section 946.41, as written, should cover such an action. For instance, see *State v. Caldwell*, 154 Wis. 2d 683, 454 N.W.2d 13 (Ct. App. 1990), which finds that knowingly providing false information with intent to mislead is obstruction as a matter of law.

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