

2013 Senate Bill 295 (LRB -3003)

An Act to amend 175.35 (2g) (c) 1., 175.35 (2g) (c) 4. (intro.), 175.35 (2j) and 175.35 (2k) (ar) 2. of the statutes; relating to: conveyance of information from a firearms dealer to the Department of Justice to request a firearms restrictions record search before transferring a handgun.

2013

09-10.	S.	Introduced by Senator Grothman ; cosponsored by Representative J. Ott	354
09-10.	S.	Read first time and referred to Committee on Judiciary and Labor	354
10-01.	S.	Public hearing held	
10-09.	S.	Executive action taken	
10-10.	S.	Report passage recommended by Committee on Judiciary and Labor, Ayes 5, Noes 0	406
10-10.	S.	Available for scheduling	
10-14.	S.	Placed on calendar 10-15-2013 pursuant to Senate Rule 18(1)	414
10-15.	S.	Read a second time	422
10-15.	S.	Ordered to a third reading	422
10-15.	S.	Rules suspended	422
10-15.	S.	Read a third time and passed	422
10-15.	S.	Ordered immediately messaged	423
10-16.	A.	Received from Senate	364
10-22.	A.	Read first time and referred to committee on Judiciary	383
10-29.	A.	Public hearing held	
10-31.	A.	Executive action taken	
10-31.	A.	Report concurrence recommended by Committee on Judiciary, Ayes 8, Noes 0	394
10-31.	A.	Referred to Committee on Rules	394
10-31.	A.	Placed on calendar 11-5-2013 by Committee on Rules	
11-05.	A.	Read a second time	
11-05.	A.	Ordered to a third reading	
11-05.	A.	Rules suspended	
11-05.	A.	Read a third time and concurred in	
11-05.	A.	Ordered immediately messaged	
11-06.	S.	Received from Assembly concurred in	

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ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

13 -300311

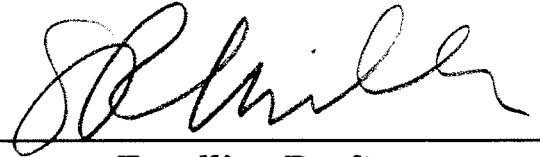
Amendments to above (if none, write "NONE"): NONE

Corrections - show date (if none, write "NONE"): NONE

Topic Rel

11-6-13

Date



Enrolling Drafter



2013 SENATE BILL 295

September 10, 2013 - Introduced by Senator GROTHMAN, cosponsored by Representative J. OTT. Referred to Committee on Judiciary and Labor.

1 **AN ACT to amend** 175.35 (2g) (c) 1., 175.35 (2g) (c) 4. (intro.), 175.35 (2j) and
2 175.35 (2k) (ar) 2. of the statutes; **relating to:** conveyance of information from
3 a firearms dealer to the Department of Justice to request a firearms restrictions
4 record search before transferring a handgun.

Analysis by the Legislative Reference Bureau

Under current law, a firearms dealer must request the Department of Justice (DOJ) to perform a firearms restrictions record search on a person seeking to purchase a handgun before the dealer may complete the sale. DOJ must promulgate rules for firearms restrictions record searches including a procedure that permits a firearms dealer to use a toll-free telephone number to convey to DOJ the information the purchaser provides on a form such as his or her name, date of birth, and other identification information that permits DOJ to perform an accurate firearms restrictions record search. The dealer must mail a duplicate copy of the form to DOJ so that, if DOJ found nothing in the original search that indicated the person was prohibited from possessing a firearm, DOJ may check the information on the duplicate form against the information DOJ recorded from the telephone call to ensure that nothing on the duplicate form indicates the purchaser is prohibited from possessing a firearm.

Under this bill, the rules DOJ promulgates may allow an alternative means, in addition to the toll-free number provided by DOJ, for a firearms dealer to convey to DOJ the information necessary for a firearms restrictions record search. If the dealer uses the alternative means, the dealer must transmit the notification form to DOJ

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using a means DOJ provides. This bill also requires DOJ to check the information transmitted against the information DOJ used to conduct the firearms restrictions record search to ensure that nothing in the transmitted information indicates that the purchaser is prohibited from possessing a firearm.

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

1 **SECTION 1.** 175.35 (2g) (c) 1. of the statutes is amended to read:

2 175.35 **(2g)** (c) 1. A firearms dealer to convey the information from a completed
3 notification form to the department using either a toll-free telephone number
4 provided by the department or an alternative means the department provides.

5 **SECTION 2.** 175.35 (2g) (c) 4. (intro.) of the statutes is amended to read:

6 175.35 **(2g)** (c) 4. (intro.) The department to notify the dealer, ~~either during the~~
7 ~~initial telephone call or~~ as soon thereafter after receiving the information under
8 subd. 1. as practicable, of the results of the firearms restrictions record search as
9 follows:

10 **SECTION 3.** 175.35 (2j) of the statutes is amended to read:

11 175.35 **(2j)** A firearms dealer shall maintain the original record of all completed
12 notification forms and a record of all confirmation numbers and corresponding
13 approval or nonapproval numbers that he or she receives regarding firearms
14 restrictions record searches under sub. (2g). The If, under sub. (2g) (c) 1., the
15 firearms dealer conveys the information from the notification form using the
16 toll-free telephone number, the firearms dealer shall mail the duplicate copy of each
17 completed notification form to the department of justice. If, under sub. (2g) (c) 1., the
18 firearms dealer conveys the information from the notification form using the
19 alternative means, the firearms dealer shall transmit, using a means the
20 department approves, each completed notification form to the department of justice.

