



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Assembly Bill 727

Assembly Amendments 1 and 2

Memo published: February 11, 2014 *Contact:* Jessica Karls-Ruplinger, Senior Staff Attorney (266-2230)

Under *current law*, a person subject to a domestic abuse, child abuse, or harassment injunction may be prohibited from possessing a firearm.

Under *2013 Assembly Bill 727*, a person subject to an individuals-at-risk injunction may be prohibited from possessing a firearm. Specifically, the bill provides that if a judge or court commissioner issues an individuals-at-risk injunction and determines that the person may use a firearm to cause physical harm to another or to endanger public safety, the judge or commissioner may prohibit the person from possessing a firearm. Such order remains in effect until the expiration of the injunction.

In addition, the bill requires the Department of Justice (DOJ) to provide to a judge, court commissioner, law enforcement agency, or law enforcement officer information regarding individuals ordered not to possess a firearm or a cancellation of such order. A judge or court commissioner must request such information from DOJ to aid in making a determination regarding firearms prohibitions for injunctions. A law enforcement agency or officer may request such information from DOJ for purposes specified in the bill.

Lastly, the bill authorizes disclosure of health or other sensitive personal information in juvenile court records to a law enforcement agency.

Assembly Amendment 1 deletes the provisions in the bill relating to disclosure of juvenile court records to a law enforcement agency.

Assembly Amendment 2 allows a law enforcement agency or officer to request firearms information from DOJ to aid a court in making a determination regarding firearms prohibitions for injunctions, and the amendment allows a judge or court commissioner to request such information from the law enforcement agency or officer. The amendment makes

additional statutory changes to facilitate the exchange of information between DOJ and a court for purposes related to firearms prohibitions under current law and under the bill.

Bill History

Assembly Amendment 1 was offered by Representative Goyke, and Assembly Amendment 2 was offered by Representative J. Ott. On February 11, 2014, the Assembly Committee on Judiciary recommended adoption of the amendments and passage of Assembly Bill 727, as amended, on votes of Ayes, 9; Noes, 0.

JKR:jal