

2015 DRAFTING REQUEST

Senate Amendment (SA-SB35)

Received: 4/20/2015 Received By: chanaman
 Wanted: As time permits Same as LRB:
 For: Dave Hansen (608) 266-5670 By/Representing: Jay
 May Contact: Drafter: chanaman
 Subject: Criminal Law - guns and weapons Addl. Drafters:
 Justice - civil Extra Copies:

Submit via email: YES
 Requester's email: Sen.Hansen@legis.wisconsin.gov
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Keep 48-hour waiting period for anyone who has been charged with a crime of domestic violence

Instructions:

See attached

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>
/?	chanaman 4/20/2015	eweiss 4/21/2015		_____			
/1				_____	mbarman 4/21/2015	mbarman 4/21/2015	

FE Sent For:

<END>

Hanaman, Cathlene

From: Wadd, Jay
Sent: Monday, April 20, 2015 4:45 PM
To: Hanaman, Cathlene
Subject: Drafting Request: Amendment to SB-35

Hi, Cathlene,

We need an amendment drafted to SB-35 for tomorrow:

“Amendment drafted to SB-35 that would still require a 48 hour waiting period for anyone who has been charged with a domestic violence crime. In other words if someone buys a handgun and is found to have been charged with a crime of domestic violence they would still need to wait for 48 hours to receive their purchase.”

Let me know if you have any questions.

Thanks,

Jay

Jay Wadd
Office of Senator Dave Hansen
608-266-5670



ASAP
for floor

emw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT,
TO SENATE BILL 35

Request sheet
updated

S.A.
Xref

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 5: after that line insert:

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

4 175.35 (1) (at) "Firearms restrictions record search" means a search of

5 department of justice records to determine whether a person seeking to purchase a

6 handgun is prohibited from possessing a firearm under s. 941.29. "Firearms

7 restrictions record search" includes a criminal history record search, a search to

8 determine whether a person is prohibited from possessing a firearm under s. 51.20

9 (13) (cv) 1., 2007 stats., a search in the national instant criminal background check

10 system to determine whether a person has been ordered not to possess a firearm

11 under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search

12 to determine whether the person is subject to an injunction under s. 813.12 or

1 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
 2 established by any federally recognized Wisconsin Indian tribe or band, except the
 3 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
 4 or she is subject to the requirements and penalties under s. 941.29 and that has been
 5 filed with the circuit court under s. 806.247 (3), and a search to determine whether
 6 the person is prohibited from possessing a firearm under s. 813.123 (5m) or 813.125
 7 (4m). “Firearms restrictions record search” includes a search of department of
 8 justice records to determine if the department of justice has been informed under s.
 9 978.05 (3m) that a person seeking to purchase a handgun has been charged with a
 10 crime of domestic abuse, as defined in s. 968.075 (1) (a), and is subject to a 48-hour
 11 waiting period under sub. (2g) (c) 4. c.”.

History: 1975 c. 167; 1991 a. 11; 1993 a. 16, 195, 196; 1995 a. 71, 77, 159, 306; 2005 a. 155, 344; 2009 a. 28, 258; 2013 a. 20, 109; 2013 a. 168 s. 21; 2013 a. 223.

12 **2.** Page 2, line 19: after “days” insert “. If the search indicates a charge of a
 13 crime of domestic abuse, as defined in s. 968.075 (1) (a), without a recorded
 14 disposition, the department shall notify the firearms dealer that the department will
 15 not issue an approval number for 48 hours”.

16 **3.** Page 2, line 24: after that line insert:

17 **“SECTION 5p.** 978.05 (3m) of the statutes is created to read:

18 978.05 (3m) DOMESTIC ABUSE CRIME CHARGES. For purposes of an accurate
 19 firearms restrictions record search under s. 175.35 (1) (at), inform the department
 20 of justice when charging an individual with a crime of domestic abuse, as defined in
 21 s. 968.075 (1) (a).”.

22 (END)