



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa2600/1
CMH:ahe/amn/emw

**ASSEMBLY AMENDMENT 7,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO ASSEMBLY BILL 843**

March 22, 2018 - Offered by Representative YOUNG.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 11: after "screening;" insert "ban on semiautomatic weapons;"

3 **2.** Page 10, line 14: after that line insert:

4 "SECTION 21c. 165.70 (1) (b) of the statutes, as affected by 2017 Wisconsin Act
5 128, is amended to read:

6 165.70 (1) (b) Except as provided in sub. (1m), enforce chs. 945 and 961 and ss.
7 940.20 (3), 940.201, 941.25, 941.26, 941.285, 943.01 (2) (c), 943.011, 943.27, 943.28,
8 943.30, 944.30 (1m), 944.31, 944.32, 944.33, 944.34, 946.65, 947.02 (3) and (4),
9 948.075, 948.08, and 948.081."

10 **3.** Page 14, line 9: after that line insert:

11 "SECTION 28g. 938.78 (3) of the statutes is amended to read:

1 938.78 (3) RELEASE OF INFORMATION WHEN ESCAPE OR ABSENCE; RULES. If a juvenile
2 adjudged delinquent under s. 48.12, 1993 stats., or s. 938.12 or found to be in need
3 of protection or services under s. 48.13 (12), 1993 stats., or s. 48.13 (14), 1993 stats.,
4 or s. 938.13 (12) or (14) on the basis of a violation of s. 943.23 (1m) or (1r), 1999 stats.,
5 or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.231, 941.235, 941.237, 941.26,
6 941.28, 941.285, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03,
7 943.04, 943.10 (2) (a), 943.23 (1g), 943.32 (2), 948.02, 948.025, 948.03, 948.05,
8 948.055, 948.085 (2), 948.60, 948.605, or 948.61 or any crime specified in ch. 940 has
9 escaped from a juvenile correctional facility, residential care center for children and
10 youth, inpatient facility, as defined in s. 51.01 (10), juvenile detention facility, or
11 juvenile portion of a county jail, or from the custody of a peace officer or a guard of
12 such a facility, center, or jail, or has been allowed to leave a juvenile correctional
13 facility, residential care center for children and youth, inpatient facility, juvenile
14 detention facility, or juvenile portion of a county jail for a specified time period and
15 is absent from the facility, center, home, or jail for more than 12 hours after the
16 expiration of the specified period, the department of corrections or county
17 department, whichever has supervision over the juvenile, may release the juvenile's
18 name and any information about the juvenile that is necessary for the protection of
19 the public or to secure the juvenile's return to the facility, center, home, or jail. The
20 department of corrections shall promulgate rules establishing guidelines for the
21 release of the juvenile's name or information about the juvenile to the public.

22 **SECTION 28i.** 939.632 (1) (e) 1. of the statutes is amended to read:

23 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09
24 (1c), 940.19 (2), (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.235, 940.305, 940.31,
25 941.20, 941.21, 941.285, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1)

1 or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055,
2 948.07, 948.08, 948.085, or 948.30 (2) or under s. 940.302 (2) if s. 940.302 (2) (a) 1.
3 b. applies.

4 **SECTION 28L.** 941.285 of the statutes is created to read:

5 **941.285 Possession of semiautomatic assault weapons. (1)** In this
6 section:

7 (a) "Assault weapon" means any of the following:

- 8 1. A semiautomatic rifle that has the capacity to accept a detachable magazine
9 and that has any of the following:
- 10 a. A pistol grip that protrudes beneath the action of the weapon.
 - 11 b. A folding, telescoping, or thumbhole stock.
 - 12 c. A 2nd handgrip or protruding grip that can be held by the nontrigger hand.
 - 13 d. A bayonet mount.
 - 14 e. A flash suppressor, muzzle brake, or muzzle compensator or a threaded
15 barrel capable of accepting a flash suppressor, muzzle brake, or muzzle compensator.
 - 16 f. A grenade launcher.
- 17 2. A semiautomatic shotgun that has any of the following:
- 18 a. A folding, telescoping, or thumbhole stock.
 - 19 b. A 2nd handgrip or protruding grip that can be held by the nontrigger hand.
 - 20 c. The capacity to accept a detachable magazine.
- 21 3. A semiautomatic pistol that has the capacity to accept a detachable
22 magazine and that has any of the following:
- 23 a. A folding, telescoping, or thumbhole stock.
 - 24 b. A 2nd handgrip or protruding grip that can be held by the nontrigger hand.

1 c. The capacity to accept an ammunition magazine that attaches to the pistol
2 outside of the pistol grip.

3 d. A threaded barrel capable of accepting a barrel extender, flash suppressor,
4 forward handgrip, or silencer.

5 e. A shroud that is attached to, or partially or completely encircles, the barrel,
6 and that permits the user to hold the firearm with the nontrigger hand without being
7 burned.

8 f. A manufactured weight of at least 50 ounces when the pistol is unloaded.

9 (b) "Detachable magazine" means any ammunition feeding device, the function
10 of which is to deliver one or more ammunition cartridges into the firing chamber, that
11 can be removed from the firearm without any tool, bullet, or ammunition cartridge.

12 (c) "Firearms dealer" has the meaning given in s. 175.35 (1) (ar).

13 (d) "Muzzle brake" means a device that is attached to the muzzle of a weapon
14 and that uses escaping gas to reduce recoil.

15 (e) "Muzzle compensator" means a device that is attached to the muzzle of a
16 weapon and that uses escaping gas to control muzzle movement.

17 (f) "Rifle" has the meaning given in s. 941.28 (1) (a).

18 (g) "Semiautomatic" means that the firearm is a repeating firearm that
19 requires a separate pull of the trigger to fire each cartridge and that uses a portion
20 of the energy of a firing cartridge to extract the fired cartridge case and to place
21 another unfired cartridge into the chamber.

22 (h) "Shotgun" has the meaning given in s. 941.28 (1) (d).

23 **(2)** Whoever manufactures, transports, purchases, possesses, goes armed with,
24 or sells or otherwise transfers possession of an assault weapon is guilty of a Class H
25 felony.

1 **(3)** Subsection (2) does not apply to any of the following:

2 (a) A person who is transporting or possessing an assault weapon if the person
3 possessed the assault weapon prior to the effective date of this paragraph [LRB
4 inserts date].

5 (b) The transportation, purchase, possession, sale, or transfer of possession of
6 an assault weapon modified to render it permanently inoperative.

7 (c) Any law enforcement officer while on official duty.

8 (d) Any armed forces or military personnel while on official duty.

9 (e) The possession of an assault weapon by any licensed importer or
10 manufacturer under 26 USC 5801 to 5872 authorized to import or manufacture that
11 assault weapon.

12 (f) The possession of an assault weapon under any of the following conditions
13 by a firearms dealer authorized to sell assault weapons:

14 1. Transporting an assault weapon to another firearms dealer authorized to sell
15 assault weapons.

16 2. Transporting an assault weapon to and displaying the assault weapon at a
17 gun show.

18 **(4)** Any person who, prior to the effective date of this subsection [LRB inserts
19 date], possesses an assault weapon may surrender the assault weapon to a law
20 enforcement agency using a process the department of justice develops.

21 **SECTION 28p.** 946.82 (4) of the statutes is amended to read:

22 946.82 **(4)** "Racketeering activity" means any activity specified in 18 USC 1961
23 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission
24 of any of the felonies specified in: chs. 945 and 961, subch. V of ch. 551, and ss. 49.49,
25 134.05, 139.44 (1), 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625,

1 221.0636, 221.0637, 221.1004, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (4) to (6),
2 940.20, 940.201, 940.203, 940.21, 940.30, 940.302 (2), 940.305, 940.31, 941.20 (2) and
3 (3), 941.26, 941.28, 941.285, 941.298, 941.31, 941.32, 942.09, 943.01 (2), (2d), or (2g),
4 943.011, 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3)
5 (bf) to (e), 943.201, 943.203, 943.23 (1g), (2) and (3), 943.24 (2), 943.27, 943.28,
6 943.30, 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and
7 (c), 943.50 (4) (bf), (bm), and (c) and (4m), 943.60, 943.70, 943.76, 943.81, 943.82,
8 943.83, 943.84, 943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 944.21 (5) (c) and (e),
9 944.32, 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12,
10 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76,
11 946.79, 947.015, 948.05, 948.051, 948.08, 948.12, and 948.30.

12 **SECTION 28r.** 969.08 (10) (b) of the statutes is amended to read:

13 969.08 (10) (b) “Serious crime” means any crime specified in s. 943.23 (1m),
14 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,
15 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.20, 940.201,
16 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g.,
17 1m., 1r., 2. or 3., 940.302 (2), 940.31, 941.20 (2) or (3), 941.26, 941.285, 941.30,
18 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10,
19 943.23 (1g), 943.30, 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87, 943.88,
20 943.89, 943.90, 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03,
21 948.04, 948.05, 948.051, 948.06, 948.07, 948.085, or 948.30 or, if the victim is a
22 financial institution, as defined in s. 943.80 (2), a crime under s. 943.84 (1) or (2).”.

23 **4.** Page 15, line 2: after that line insert:

24 **“SECTION 30g. Effective date.**

