

2019 DRAFTING REQUEST

Bill

For: Lisa Subeck (608) 266-7521 Drafter: chanaman
By: Michael Secondary Drafters:
Date: 11/29/2018 May Contact:

Same as LRB:

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

Pre Topic:

No specific pre topic given

Topic:

Require firearms to be in a locked container if residing with a person who is prohibited from possessing a firearm

Instructions:

See attached

Drafting History:

Table with 6 columns: Vers., Drafted, Reviewed, Submitted, Jacketed, Required. It lists draft versions and the individuals responsible for each stage.

FE Sent For: <END>
Handwritten note: No + Needed



State of Wisconsin
2017 - 2018 LEGISLATURE

-0979/1
LRB-1658/1
CMH:ama

Wed

10/1

2017 ASSEMBLY BILL 430

June 30, 2017 - Introduced by Representatives SUBECK, ANDERSON, BERCEAU, OHNSTAD, C. TAYLOR, SARGENT, ZAMARRIPA and ZEPNICK, cosponsored by Senators JOHNSON, LARSON and L. TAYLOR. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to renumber and amend* 941.29 (4); *to amend* 941.29 (1g) (a), 941.291
2 (1) (b) and 973.123 (1); and *to create* 941.29 (4) (b) of the statutes; **relating to:**
3 storage of a firearm in a house in which a resident is prohibited from possessing
4 a firearm and providing a criminal penalty.

Analysis by the Legislative Reference Bureau

This bill requires a person to store any firearm he or she possesses in a securely locked box or container or other secure locked location or with a trigger lock engaged if the person resides with a person who is prohibited from possessing a firearm under state law. A person who violates this requirement is guilty of a Class A misdemeanor for a first offense and a Class I felony for a second or subsequent offense.

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

5 **SECTION 1.** 941.29 (1g) (a) of the statutes is amended to read:
6 941.29 (1g) (a) "Violent felony" means any felony under s. 943.23 (1m), 1999
7 stats., or s. 943.23 (1r), 1999 stats., this section sub. (1m) or (4) (a), or s. 940.01,
8 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20,

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SECTION 1

941.2905 ← plus

1 940.201, 940.203, 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3),
2 940.30, 940.302, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26,
3 941.28, 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2),
4 943.23 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
5 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

6 **SECTION 2.** 941.29 (4) of the statutes is renumbered 941.29 (4) (a) and amended
7 to read:

8 941.29 (4) (a) A person is concerned with the commission of a crime, as specified
9 in s. 939.05 (2) (b), in violation of ~~this section~~ sub. (1m) if he or she knowingly
10 furnishes a person with a firearm in violation of ~~this section~~ sub. (1m).

11 **SECTION 3.** 941.29 (4) (b) of the statutes is created to read:

12 941.29 (4) (b) 1. A person who resides with a person who is prohibited under
13 sub. (1m) from possessing a firearm shall, when not carrying the firearm, store any
14 firearm he or she possesses in a securely locked box or container or in a locked
15 location that a reasonable person would believe to be secure or ensure that a trigger
16 lock is engaged on the firearm.

17 (Ch) 2. A person who violates sub. 1. is guilty of the following:

- 18 1. a. For a first violation, a Class A misdemeanor.
- 19 2. b. For a 2nd or subsequent violation, a Class I felony.

20 **SECTION 4.** 941.291 (1) (b) of the statutes is amended to read:

21 941.291 (1) (b) "Violent felony" means any felony, or the solicitation, conspiracy,
22 or attempt to commit any felony, under s. 943.23 (1m) or (1r), 1999 stats., or s. 940.01,
23 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20,
24 940.201, 940.203, 940.21, 940.225, 940.23, 940.285 (2), 940.29, 940.295 (3), 940.30,
25 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29 (1m)

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1 or (4) (a), 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06,
2 943.10 (2), 943.23 (1g), 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87,
3 943.88, 943.89, 943.90, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04,
4 948.05, 948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is a financial
5 institution, as defined in s. 943.80 (2), a felony, or the solicitation, conspiracy, or
6 attempt to commit a felony under s. 943.84 (1) or (2).

7 **SECTION 5.** 973.123 (1) of the statutes is amended to read:

8 973.123 (1) In this section, "violent felony" means any felony under s. 943.23
9 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01, 940.02, 940.03, 940.05,
10 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20, 940.201, 940.203, 940.21,
11 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305,
12 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29 (1m) or (4)
13 (a), 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
14 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
15 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

16 (END)

Walker, Dan

From: Pearson, Mike
Sent: Thursday, July 25, 2019 2:06 PM
To: LRB.Legal
Subject: Draft Review: LRB -0979/1

Please Jacket LRB -0979/1 for the ASSEMBLY.