



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0979/1
CMH:kjf

2019 ASSEMBLY BILL 416

September 5, 2019 - Introduced by Representatives SUBECK, C. TAYLOR, ANDERSON, BILLINGS, EMERSON, KOLSTE, OHNSTAD, SINICKI and SARGENT, cosponsored by Senators LARSON, RISSER, JOHNSON and L. TAYLOR. Referred to Committee on Criminal Justice and Public Safety.

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

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

4 **SECTION 1.** 941.29 (1g) (a) of the statutes is amended to read:
5 941.29 (1g) (a) “Violent felony” means any felony under s. 943.23 (1m), 1999
6 stats., or s. 943.23 (1r), 1999 stats., ~~this section sub. (1m)~~, or s. 940.01, 940.02, 940.03,

ASSEMBLY BILL 416**SECTION 1**

1 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20, 940.201, 940.203,
2 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302,
3 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.2905,
4 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
5 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
6 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

7 **SECTION 2.** 941.29 (3m) of the statutes is created to read:

8 941.29 (3m) (a) A person who resides with a person who is prohibited under
9 sub. (1m) from possessing a firearm shall, when not carrying the firearm, store any
10 firearm he or she possesses in a securely locked box or container or in a locked
11 location that a reasonable person would believe to be secure or ensure that a trigger
12 lock is engaged on the firearm.

13 (b) A person who violates par. (a) is guilty of the following:

- 14 1. For a first violation, a Class A misdemeanor.
15 2. For a 2nd or subsequent violation, a Class I felony.

16 **SECTION 3.** 941.291 (1) (b) of the statutes is amended to read:

17 941.291 (1) (b) "Violent felony" means any felony, or the solicitation, conspiracy,
18 or attempt to commit any felony, under s. 943.23 (1m) or (1r), 1999 stats., or s. 940.01,
19 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20,
20 940.201, 940.203, 940.21, 940.225, 940.23, 940.285 (2), 940.29, 940.295 (3), 940.30,
21 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29
22 (1m), 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10
23 (2), 943.23 (1g), 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87, 943.88,
24 943.89, 943.90, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
25 948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is a financial institution,

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1 as defined in s. 943.80 (2), a felony, or the solicitation, conspiracy, or attempt to
2 commit a felony under s. 943.84 (1) or (2).

3 **SECTION 4.** 973.123 (1) of the statutes is amended to read:

4 973.123 (1) In this section, “violent felony” means any felony under s. 943.23
5 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01, 940.02, 940.03, 940.05,
6 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20, 940.201, 940.203, 940.21,
7 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305,
8 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29 (1m),
9 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
10 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
11 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

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(END)