



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4412/1
CMH:cjs

2015 ASSEMBLY BILL 893

February 9, 2016 - Introduced by Representatives SUBECK, BERCEAU, JOHNSON, SINICKI, C. TAYLOR and ZEPNICK. Referred to Committee on Criminal Justice and Public Safety.

AUTHORS SUBJECT TO CHANGE

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, as created by 2015 Wisconsin Act 109,
6 is amended to read:

7 941.29 **(1g)** (a) "Violent felony" means any felony under s. 943.23 (1m), 1999
8 stats., or s. 943.23 (1r), 1999 stats., ~~this section sub. (1m) or (4) (a)~~, or s. 940.01,

ASSEMBLY BILL 893**SECTION 1**

1 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20,
2 940.201, 940.203, 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3),
3 940.30, 940.302, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26,
4 941.28, 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2),
5 943.23 (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 (4) of the statutes, as affected by 2015 Wisconsin Act 109,
8 is renumbered 941.29 (4) (a) and amended to read:

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

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

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

18 2. A person who violates subd. 1. is guilty of the following:

19 a. For a first violation, a Class A misdemeanor.

20 b. For a 2nd or subsequent violation, a Class I felony.

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

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

ASSEMBLY BILL 893

1 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29 (1m)
2 or (4) (a), 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06,
3 943.10 (2), 943.23 (1g), 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87,
4 943.88, 943.89, 943.90, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04,
5 948.05, 948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is a financial
6 institution, as defined in s. 943.80 (2), a felony, or the solicitation, conspiracy, or
7 attempt to commit a felony under s. 943.84 (1) or (2).

8 **SECTION 5.** 973.123 (1) of the statutes, as created by 2015 Wisconsin Act 109,
9 is amended to read:

10 973.123 (1) In this section, “violent felony” means any felony under s. 943.23
11 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01, 940.02, 940.03, 940.05,
12 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20, 940.201, 940.203, 940.21,
13 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305,
14 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29 (1m) or (4)
15 (a), 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
16 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
17 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

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(END)