



2017 ASSEMBLY BILL 74

February 20, 2017 - Introduced by Representatives C. TAYLOR, BERCEAU, WACHS, SARGENT, SUBECK, GOYKE, KOLSTE, CROWLEY, HEBL, OHNSTAD, ANDERSON, SPREITZER, BROSTOFF, KESSLER, POPE, CONSIDINE, BOWEN, YOUNG, HESSELBEIN, ZAMARRIPA, FIELDS, SINICKI and BILLINGS, cosponsored by Senators CARPENTER, JOHNSON, HANSEN, MILLER, C. LARSON, RISSER, L. TAYLOR and RINGHAND. Referred to Committee on Criminal Justice and Public Safety.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to amend** 175.35 (title), 175.35 (2) (d) and 175.35 (2g) (c) 4. c. of the
2 statutes; **relating to:** waiting period for purchase of handguns.

Analysis by the Legislative Reference Bureau

This bill prohibits a federally licensed firearms dealer from transferring a handgun to a purchaser until 48 hours have passed since the firearms dealer requested the Department of Justice to perform a background check on the prospective purchaser.

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

3 **SECTION 1.** 175.35 (title) of the statutes is amended to read:
4 **175.35 (title) Purchase Waiting period for the purchase of handguns.**
5 **SECTION 2.** 175.35 (2) (d) of the statutes is amended to read:
6 175.35 (2) (d) The Forty-eight hours have elapsed from the time that the
7 firearms dealer has received ~~an approval~~ a confirmation number regarding the
8 firearms restrictions record search under sub. (2g) (c) from the department of justice

ASSEMBLY BILL 74**SECTION 2**

1 and the firearms dealer has not been notified that the person is prohibited under
2 state or federal law from possessing a firearm or that the department needs an
3 extension under sub. (2g) (c) 4. c.

4 **SECTION 3.** 175.35 (2g) (c) 4. c. of the statutes is amended to read:

5 175.35 **(2g)** (c) 4. c. If the search indicates that it is unclear whether the person
6 is prohibited under state or federal law from possessing a firearm and the
7 department needs more time than provided under sub. (2) (d) to make the
8 determination, the department shall make every reasonable effort to determine
9 whether the person is prohibited under state or federal law from possessing a firearm
10 and notify the firearms dealer of the results as soon as practicable but no later than
11 5 working days after the search was requested.

12 **SECTION 4. Initial applicability.**

13 (1) This act first applies to sales that occur on the effective date of this
14 subsection.

15 (END)