



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-5384/1
CMH:klm

2017 SENATE BILL 882

March 22, 2018 - Introduced by Senators JOHNSON and LARSON, cosponsored by Representatives SARGENT, C. TAYLOR, BROSTOFF, BERCEAU, POPE, ZEPNICK, SINICKI, CROWLEY, ZAMARRIPA, FIELDS, SUBECK and GENRICH. Referred to Committee on Insurance, Financial Services, Constitution and Federalism.

1 **AN ACT** *to renumber* 175.35 (2k) (h); *to renumber and amend* 175.35 (2k) (g);
2 and *to create* 175.35 (2m) (a) and (c) and 950.04 (1v) (gp) of the statutes;
3 **relating to:** notifying victims of felonies and petitioners in certain injunction
4 actions when the perpetrator of the felony or the subject of the injunction
5 attempts to illegally purchase a handgun.

Analysis by the Legislative Reference Bureau

This bill requires the attorney general to notify law enforcement if, during a background check that the Department of Justice must conduct on persons purchasing a handgun, DOJ determines that the person who is attempting to purchase the handgun is prohibited from possessing a firearm due to the commission of a felony or due to being subject to certain injunctions, such as a domestic abuse injunction. Under this bill, the law enforcement agency receiving the notice must notify the victim of the felony that led to the prohibition or the petitioner in the injunction process. Current law allows, but does not require, the attorney general to so notify law enforcement and does not require the victim or petitioner to be notified of the attempted purchase.

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

SENATE BILL 882**SECTION 1**

1 **SECTION 1.** 175.35 (2k) (g) of the statutes is renumbered 175.35 (2m) (b) and
2 amended to read:

3 175.35 **(2m)** (b) If a search conducted under sub. (2g) indicates that the
4 transferee is prohibited from possessing a firearm under s. 941.29 (1m) (e) or (em),
5 the attorney general or his or her designee may disclose to a law enforcement agency
6 that the transferee has attempted to obtain a handgun.

7 **SECTION 2.** 175.35 (2k) (h) of the statutes is renumbered 175.35 (2m) (d).

8 **SECTION 3.** 175.35 (2m) (a) and (c) of the statutes are created to read:

9 175.35 **(2m)** (a) If a search conducted under sub. (2g) indicates that the
10 transferee is prohibited from possessing a firearm under s. 941.29 (1m) (a), (b), (bm),
11 (c), or (d), the attorney general or his or her designee shall disclose to a law
12 enforcement agency that the transferee has attempted to obtain a handgun. The law
13 enforcement agency shall notify each victim of the crime that resulted in the
14 transferee being subject to s. 941.29 (1m) (a), (b), (bm), (c), or (d) of the attempt and
15 may use the Wisconsin Statewide Victim Notification service or another service
16 notification system administered by the department of corrections that enables the
17 victim to receive an automated notification.

18 (c) If a search conducted under sub. (2g) indicates that the transferee is
19 prohibited from possessing a firearm under s. 941.29 (1m) (f) or (g), the attorney
20 general or his or her designee shall disclose to a law enforcement agency that the
21 transferee has attempted to obtain a handgun. The law enforcement agency shall
22 notify the petitioner of the attempt and may use the Wisconsin Statewide Victim
23 Notification service or another service notification system administered by the
24 department of corrections that enables the petitioner to receive an automated
25 notification.

