



## 1995 SENATE BILL 476

January 3, 1996 - Introduced by Senators WINEKE, BURKE and CHVALA, cosponsored by Representatives BOCK, BALDWIN, L. YOUNG, NOTESTEIN, KUNICKI and KRUG. Referred to Committee on Judiciary.

1     **AN ACT to repeal** 175.35 (2g) (c) 4. c.; and **to amend** 175.35 (2) (d) of the statutes;  
2           **relating to:** the handgun sales waiting period.

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### *Analysis by the Legislative Reference Bureau*

Under current law, no federally licensed firearms dealer may transfer a handgun following a sale until various conditions are met relating to a waiting period and a firearms restrictions record search (background check) of the prospective handgun owner by the department of justice (DOJ). Among the conditions is a requirement that the dealer may not transfer the handgun until 48 hours after the dealer receives confirmation from DOJ that DOJ has received the dealer's request for a background check. This bill changes the 48-hour time period to a time period of 5 working days.

Under current law, whenever the DOJ background check indicates a felony charge with no recorded disposition, the original waiting period is extended to the 3rd complete working day after DOJ finds that felony charge. This bill eliminates the 3-day extension.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3           **SECTION 1.** 175.35 (2) (d) of the statutes, as affected by 1995 Wisconsin Act 71,  
4     is amended to read:

5           175.35 (2) (d) ~~Forty-eight hours, subject to extension under sub. (2g) (c) 4. c.,~~  
6     Five working days have elapsed from the time that the firearms dealer has received

1 a confirmation number regarding the firearms restrictions record search under sub.  
2 (2g) (c) from the department of justice and the firearms dealer has not been notified  
3 that the transfer would be in violation of s. 941.29.

4 **SECTION 2.** 175.35 (2g) (c) 4. c. of the statutes, as affected by 1995 Wisconsin  
5 Act 71, is repealed.

6 **SECTION 3. Initial applicability.**

7 (1) This act first applies to handgun sales on the effective date of this  
8 subsection.

9 **SECTION 4. Effective date.**

10 (1) This act takes effect on April 1, 1996.

11 (END)