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1997 ASSEMBLY BILL 85

February 12, 1997 – Introduced by Representatives URBAN, DUFF, M. LEHMAN, BOCK, WASSERMAN, NOTESTEIN, R. POTTER, RILEY, LA FAVE, MORRIS-TATUM, BOYLE and BALDWIN, cosponsored by Senators ROSENZWEIG, WINEKE, RISSER and BURKE. Referred to Committee on State Affairs.

1 AN ACT to create 175.36 of the statutes; relating to: the retail sale of firearms

and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law provides that various conditions, including a background check of a prospective purchaser, must be met before a federally licensed firearms dealer may transfer a handgun after a sale. Current law also requires that upon the retail sale or transfer of any firearm, the person who is selling or transferring the firearm must provide a warning to the person buying or receiving the firearm about the possible criminal penalties that may be imposed if a person leaves a loaded firearm within the reach or easy access of a child.

Under this bill, a federally licensed firearms dealer may not transfer possession of a firearm that he or she has sold unless the firearm is securely locked with a trigger lock or cable lock. The bill also provides that a person who buys a firearm from a federally licensed firearms dealer may not take possession of the firearm unless the firearm is securely locked with a trigger lock or cable lock. The bill's requirement that a firearm be securely locked with a trigger lock or cable lock does not apply to a firearm that cannot, because of its design and manufacture, be fitted with a trigger lock or cable lock. Any person who violates the bill's prohibitions may be fined not less than \$100 nor more than \$500.

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

ASSEMBLY BILL 85

1	SECTION 1. 175.36 of the statutes is created to read:
2	175.36 Trigger or cable lock required upon sale of firearm. (1) In this
3	section, "firearms dealer" means any person engaged in the retail sale of firearms
4	and having a license as a dealer issued by the U.S. department of the treasury.
5	(2) (a) When a firearms dealer sells any firearm, he or she may not transfer
6	possession of that firearm to any other person unless the firearm is securely locked
7	with a trigger lock or cable lock, unless the firearm cannot, because of its design and
8	manufacture, be fitted with a trigger lock or cable lock.
9	(b) No person who is buying a firearm from a firearms dealer may take
10	possession of the firearm unless it is securely locked with a trigger lock or cable lock,
11	unless the firearm cannot, because of its design and manufacture, be fitted with a
12	trigger lock or cable lock.
13	(c) This subsection does not prohibit a firearms dealer from charging the person
14	who is buying a firearm for the trigger lock or cable lock in addition to the purchase
15	price charged for the firearm.
16	(3) Any person who violates sub. (2) shall be fined not less than \$100 nor more
17	than \$500.
18	SECTION 2. Initial applicability.
19	(1) TRIGGER OR CABLE LOCK REQUIRED UPON SALE OF FIREARM. This act first
20	applies to the sale of a firearm on the effective date of this subsection.
21	(END)

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