



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4423/1
CMH:cjs

2015 ASSEMBLY BILL 892

February 9, 2016 – Introduced by Representatives SUBECK, BERCEAU, JOHNSON, SINICKI and C. TAYLOR, cosponsored by Senator C. LARSON. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT to repeal and recreate** 948.55 of the statutes; **relating to:** storage of
2 a firearm in residence if child is present and providing a criminal penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits a person from storing or leaving a firearm at his or her residence in any place other than in a securely locked box or container or other secure locked location or with a trigger lock engaged if the person resides with a child who is under the age of 18 or if the person knows a child who is under the age of 18 will be present in the person's residence. 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. This replaces the current law that penalizes a person who recklessly stores or leaves a loaded firearm within reach of a child who is under 14 if the child obtains it and does one of the following: 1) discharges the firearm and causes bodily harm or death (Class A misdemeanor) or 2) possesses or exhibits the firearm in a public place or endangers public safety (Class C misdemeanor).

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

3 **SECTION 1.** 948.55 of the statutes is repealed and recreated to read:
4 **948.55 Storage of firearm if children present.** (1) In this section, "child"
5 means a person who has not attained the age of 18 years.

