2023 SENATE BILL 106

1   AN ACT *to create* 941.29 (4g) of the statutes; **relating to:** mandatory minimum

2   sentence for felons who illegally possess a firearm and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits a person who has been convicted of a felony from possessing a firearm. A person who violates the prohibition is guilty of a Class G felony, which is punishable by a maximum term of confinement in prison of five years followed by a maximum term of extended supervision of five years. Current law has no mandatory minimum term of confinement in prison for this crime.

This bill imposes a five-year mandatory minimum term of confinement in prison for a felon who is convicted of illegal possession of a firearm.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

3   **SECTION 1.** 941.29 (4g) of the statutes is created to read:

4   941.29 **(4g)** If a person is convicted of a violation of sub. (1m) (a) or (b), the court

5   shall impose a bifurcated sentence under s. 973.01. The term of confinement in

1   prison portion of the bifurcated sentence shall be at least 5 years. Otherwise the

2   penalties for the crime apply, subject to any applicable penalty enhancement. The

3   court may not place the person on probation.

4   **SECTION 2. Initial applicability.**

5   (1) This act first applies to violations of s. 941.29 (1m) (a) or (b) that occur on

6   the effective date of this subsection.

7   **(END)**