



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5247/1
CMH:cjs

2023 SENATE BILL 766

December 8, 2023 - Introduced by Senators LARSON, TAYLOR, HESSELBEIN and L. JOHNSON, cosponsored by Representatives SUBECK, CONLEY, J. ANDERSON, EMERSON, CONSIDINE, SINICKI, ANDRACA, BARE, CABRERA, JACOBSON, JOERS, OHNSTAD, PALMERI, RATCLIFF, SHELTON and STUBBS. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT** *to amend* 968.02 (4) and 968.07 (3); and *to repeal and recreate* 948.55
2 of the statutes; **relating to:** storage of a firearm in residence if child is present
3 and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits a person from storing or leaving a firearm at his or her residence if the person resides with a child who is under the age of 18, or knows a child who is under the age of 18 will be present in the residence, unless the firearm is in a securely locked box or container or other secure locked location or has a trigger lock engaged. A person who violates this prohibition is guilty of a Class A misdemeanor for a first offense and a Class I felony for a subsequent offense. This prohibition 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).

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:

