



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4465/1
CMH:wlj

2017 ASSEMBLY BILL 616

November 8, 2017 - Introduced by Representatives BERCEAU, C. TAYLOR, SARGENT, SUBECK, ANDERSON, BILLINGS, BOWEN, BROSTOFF, CONSIDINE, CROWLEY, DOYLE, FIELDS, GENRICH, GOYKE, HEBL, HESSELBEIN, HINTZ, KESSLER, KOLSTE, MASON, MILROY, OHNSTAD, POPE, RIEMER, SINICKI, SPREITZER, WACHS, YOUNG, ZAMARRIPA, ZEPNICK, VRUWINK, STUCK and SHANKLAND, cosponsored by Senators JOHNSON, CARPENTER, ERPENBACH, HANSEN, LARSON, MILLER, RINGHAND, RISSER, SHILLING and L. TAYLOR. Referred to Committee on State Affairs.

1 **AN ACT to amend** 941.29 (1g) (a), 941.291 (1) (b) and 973.123 (1); and **to create**
2 941.285 of the statutes; **relating to:** prohibiting firearm accessories that
3 accelerate the rate of fire of a semiautomatic firearm and providing a criminal
4 penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits the sale, manufacture, transfer, use, and possession of any device that is added after manufacture that is designed or functions to accelerate the rate of fire of a semiautomatic firearm. A person who violates the prohibition is guilty of a Class G felony.

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

5 **SECTION 1.** 941.285 of the statutes is created to read:
6 **941.285 Possession of firearm accessories that accelerate the rate of**
7 **fire. (1)** No person may import, sell or offer to sell, purchase, manufacture, transfer,
8 use, or possess a trigger crank, a bump-fire device, or any part, combination of parts,

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1 component, device, attachment, or accessory that is added after manufacture that is
2 designed or functions to accelerate the rate of fire of a semiautomatic firearm.

3 (2) Any person violating sub. (1) is guilty of a Class G felony.

4 (3) Subsection (1) does not apply to the importation, sale, purchase,
5 manufacture, transfer, use, or possession by or under the authority of the federal
6 government or a state or local government.

7 **SECTION 2.** 941.29 (1g) (a) of the statutes is amended to read:

8 941.29 (1g) (a) "Violent felony" means any felony under s. 943.23 (1m), 1999
9 stats., or s. 943.23 (1r), 1999 stats., this section, or s. 940.01, 940.02, 940.03, 940.05,
10 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20, 940.201, 940.203, 940.21,
11 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305,
12 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.285, 941.292,
13 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.32,
14 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06,
15 948.07, 948.08, 948.085, or 948.30.

16 **SECTION 3.** 941.291 (1) (b) of the statutes is amended to read:

17 941.291 (1) (b) "Violent felony" means any felony, or the solicitation, conspiracy,
18 or attempt to commit any felony, under s. 943.23 (1m) or (1r), 1999 stats., or s. 940.01,
19 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20,
20 940.201, 940.203, 940.21, 940.225, 940.23, 940.285 (2), 940.29, 940.295 (3), 940.30,
21 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.285,
22 941.29, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06,
23 943.10 (2), 943.23 (1g), 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87,
24 943.88, 943.89, 943.90, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04,
25 948.05, 948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is a financial

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1 institution, as defined in s. 943.80 (2), a felony, or the solicitation, conspiracy, or
2 attempt to commit a felony under s. 943.84 (1) or (2).

3 **SECTION 4.** 973.123 (1) of the statutes is amended to read:

4 973.123 (1) In this section, “violent felony” means any felony under s. 943.23
5 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01, 940.02, 940.03, 940.05,
6 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20, 940.201, 940.203, 940.21,
7 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305,
8 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.285, 941.29,
9 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
10 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
11 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

12 **SECTION 5. Nonstatutory provisions.**

13 (1) Notwithstanding section 941.285 of the statutes, no person may be subject
14 to a penalty for violating section 941.285 (1) of the statutes with regard to the
15 possession of any device prohibited under that section for the first 180 days after the
16 effective date of this subsection.

17 (END)