



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5331/1
CMH:cjs

2021 ASSEMBLY BILL 817

January 6, 2022 - Introduced by Representatives OHNSTAD, MCGUIRE, ANDRACA, SINICKI, EMERSON, CABRERA, HEBL, MOORE OMOKUNDE, CONLEY, VRUWINK, SNODGRASS, POPE, SHELTON, CONSIDINE, SUBECK and BALDEH, cosponsored by Senators WIRCH, AGARD, CARPENTER, L. TAYLOR, LARSON and RINGHAND. Referred to Committee on Criminal Justice and Public Safety.

AUTHORS SUBJECT TO CHANGE

- 1 **AN ACT to amend** 948.60 (3) (c); and **to create** 948.60 (3) (d) of the statutes;
2 **relating to:** possession of a dangerous weapon by a person under the age of 18.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from possessing a short-barreled rifle or shotgun. Any person who violates the prohibition is guilty of a Class H felony. A "short-barreled rifle" is a rifle with a barrel that is less than 16 inches long or a rifle that is less than 26 inches long, and a "short-barreled shotgun" is a shotgun with a barrel that is less than 18 inches long or a shotgun that is less than 26 inches long.

Current law prohibits a person who is under 18 years old from possessing a dangerous weapon, including a firearm. A person who violates the prohibition is guilty of a Class A misdemeanor. Current law provides exceptions for a person under 18 years old if any of the following apply: the person is using the firearm for target practice or for a course of instruction in how to use a firearm and the person is under adult supervision, the person is a member of the armed forces or national guard and is in the line of duty, or the dangerous weapon is a rifle or shotgun that is not a short-barreled rifle or a short-barreled shotgun and the person is in compliance with hunting laws.

This bill clarifies the last exception so that it applies only to a person under 18 who is legally hunting and who is in compliance with hunting laws. The bill further clarifies that a person under 18 who violates the prohibition against possessing a

