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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2023 Assembly Bill 58**

**Assembly  
Amendment 1**

### **2023 ASSEMBLY BILL 58**

Current law prohibits the possession of a firearm by a person who has been convicted of a felony in Wisconsin or a crime in another jurisdiction that would be a felony if committed in Wisconsin. A person who is convicted of unlawfully possessing a firearm is guilty of a Class G felony. A Class G felony is punishable by a fine of up to \$25,000 or up to 10 years of imprisonment, or both. The term of imprisonment may be bifurcated as up to five years of initial confinement and up to five years of extended supervision.

Under 2023 Assembly Bill 58, a person convicted of unlawfully possessing a firearm due to a felony conviction must be sentenced to a bifurcated sentence with a term of initial confinement of at least five years. The person may not be placed on probation.

### **ASSEMBLY AMENDMENT 1**

Under Assembly Amendment 1, the five-year mandatory minimum term of initial confinement only applies to a person who has been convicted of a “violent felony.” The amendment also increases the penalty for a person convicted of unlawfully possessing a firearm due to a conviction for a violent felony to a Class F felony. A Class F felony is punishable by a fine of up to \$25,000 or imprisonment for up to 12.5 years, or both. The term of imprisonment may be bifurcated as up to 7.5 years of initial confinement and up to five years of extended supervision.

### **BILL HISTORY**

Representative Michalski offered Assembly Amendment 1 on March 3, 2023. On March 6, 2023, the Assembly Committee on Criminal Justice and Public Safety recommended adoption of the amendment on a vote of Ayes, 14; Noes, 1; and recommended adoption of the bill, as amended, on a vote of Ayes, 10; Noes, 5.

For a full history of the bill, visit the Legislature’s [bill history page](#).

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