



State of Wisconsin
2025 - 2026 LEGISLATURE

LRBb0670/1
MJW&CMH:klm

**SENATE AMENDMENT 8,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO SENATE BILL 45**

July 2, 2025 - Offered by Senators HESSELBEIN, SMITH, SPREITZER, DRAKE, L. JOHNSON, ROYS, CARPENTER, DASSLER-ALFHEIM, HABUSH SINYKIN, KEYESKI, LARSON, PFAFF, RATCLIFF and WALL.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** At the appropriate place, insert the schedule for s. 20.455 from 2025
3 Senate Bill 45 covering the department of justice.

4 **2.** At the appropriate place, insert all of the following:

5 **“SECTION 9127. Nonstatutory provisions; Justice.**

6 (1) DEPARTMENT OF JUSTICE POSITION AUTHORIZATIONS. The authorized
7 positions for the department of justice are increased as provided in SB 45.”.

8 **3.** At the appropriate place, insert the schedule for s. 20.550 from 2025
9 Senate Bill 45 covering the Public Defender Board.

10 **4.** At the appropriate places, insert all of the following:

“SECTION 9133. Nonstatutory provisions; Public Defender Board.

(1) PUBLIC DEFENDER BOARD POSITION AUTHORIZATIONS. The authorized positions for the public defender board are increased as provided in SB 45.”.

5. At the appropriate place, insert the schedule for s. 20.625 from 2025 Senate Bill 45 covering the circuit courts.

6. At the appropriate places, insert all of the following:

“SECTION 9107. Nonstatutory provisions; Circuit Courts.

(1) CIRCUIT COURTS POSITION AUTHORIZATIONS. The authorized positions for the department of justice are increased as provided in SB 45.”.

7. At the appropriate places, insert all of the following:

“SECTION 1. 102.17 (9) (a) 1. of the statutes is renumbered 102.17 (9) (a) 1m. and amended to read:

102.17 (9) (a) 1m. ~~“Fire fighter”~~ “Firefighter” means any person employed on a full-time basis by the state or any political subdivision as a member or officer of a fire department, including the 1st class cities and state fire marshal and deputies, or an individual who volunteers as a member or officer of a fire department.

SECTION 2. 102.17 (9) (a) 1c. of the statutes is created to read:

102.17 (9) (a) 1c. “Correctional officer” has the meaning given in s. 102.475 (8) (a).

SECTION 3. 102.17 (9) (a) 1e. of the statutes is created to read:

102.17 (9) (a) 1e. “Emergency medical responder” has the meaning given in s. 256.01 (4p).

SECTION 4. 102.17 (9) (a) 1g. of the statutes is created to read:

1 102.17 (9) (a) 1g. “Emergency medical services practitioner” has the meaning
2 given in s. 256.01 (5).

3 **SECTION 5.** 102.17 (9) (a) 1p. of the statutes is created to read:

4 102.17 (9) (a) 1p. “Medicolegal investigation staff member” includes a chief
5 deputy coroner, a deputy coroner, a deputy medical examiner, and any individual
6 who assists the office of a coroner or medical examiner with an investigation of a
7 death. “Medicolegal investigation staff member” does not include an individual
8 performing solely administrative functions in the office of a coroner or medical
9 examiner.

10 **SECTION 6.** 102.17 (9) (b) (intro.) of the statutes is amended to read:

11 102.17 (9) (b) (intro.) Subject to par. (c), in the case of a mental injury that is
12 not accompanied by a physical injury and that results in a diagnosis of post-
13 traumatic stress disorder in a law enforcement officer, as defined in s. 23.33 (1) (ig),
14 an emergency medical responder, an emergency services practitioner, a correctional
15 officer, a public safety answering point dispatcher, a coroner, a medical examiner, a
16 medicolegal investigation staff member, or a fire-fighter firefighter, the claim for
17 compensation for the mental injury, in order to be compensable under this chapter,
18 is subject to all of the following:

19 **SECTION 9150. Nonstatutory provisions; Workforce Development.**

20 (1) WORKER’S COMPENSATION INSURANCE; RATE APPROVAL; NOTICE. The
21 commissioner of insurance shall submit to the legislative reference bureau for
22 publication in the Wisconsin Administrative Register a notice of the effective date of

1 new rates for worker's compensation insurance first approved by the commissioner
2 under s. 626.13 after the effective date of this subsection.

3 **SECTION 9350. Initial applicability; Workforce Development.**

4 (1) FIRST RESPONDER PTSD COVERAGE. The treatment of s. 102.17 (9) (a) 1.,
5 1c., 1e., 1g., and 1p. and (b) (intro.) first applies to injuries reported on the effective
6 date of rate changes for worker's compensation insurance approved by the
7 commissioner of insurance under s. 626.13 after the effective date of this
8 subsection.”.

9 **8.** At the appropriate places, insert all of the following:

10 “**SECTION 7.** 978.03 (1m) of the statutes is amended to read:

11 978.03 (**1m**) The district attorney of any prosecutorial unit having a
12 population of 200,000 or more but less than 750,000 may appoint ~~3~~ 4 deputy
13 district attorneys and such assistant district attorneys as may be requested by the
14 department of administration and authorized in accordance with s. 16.505. The
15 district attorney shall rank the deputy district attorneys for purposes of carrying
16 out duties under this section. The deputies, according to rank, may perform any
17 duty of the district attorney, under the district attorney's direction. In the absence
18 or disability of the district attorney, the deputies, according to rank, may perform
19 any act required by law to be performed by the district attorney. Any such deputy
20 must have practiced law in this state for at least 2 years prior to appointment under
21 this section.”.

22 **9.** At the appropriate places, insert all of the following:

23 “**SECTION 8.** 16.075 of the statutes is created to read:

1 **16.075 Grants to tribes for alternatives to prosecution and**
2 **incarceration programs.** (1) In this section, “tribe” has the meaning given in s.
3 165.91 (1).

4 (2) From the appropriation under s. 20.505 (1) (cb), the department shall
5 make grants to tribes for alternatives to prosecution and incarceration programs
6 that meet the criteria specified in s. 165.95 (3).

7 (5) Grants made under sub. (2) shall be provided on a calendar year basis.

8 (6) The department of justice shall assist the department with its duties
9 under this section.

10 **SECTION 9.** 20.455 (2) (eg) of the statutes is repealed.

11 **SECTION 10.** 20.455 (2) (em) of the statutes is repealed.

12 **SECTION 11.** 20.455 (2) (jd) of the statutes is renumbered 20.625 (1) (jd) and
13 amended to read:

14 20.625 (1) (jd) *Alternatives to prosecution and incarceration ~~grant~~ program.*
15 The amounts in the schedule to provide ~~grants under s. 165.95 (2)~~ payments to
16 counties ~~that are not a recipient of a grant under the~~ for the county to establish and
17 operate alternatives to prosecution and incarceration ~~grant program on September~~
18 ~~23, 2017~~ that comply with the criteria specified in s. 165.95 (3). All moneys
19 transferred under 2017 Wisconsin Act 59, section 9228 (15t), and 2023 Wisconsin
20 Act 19, section 9227 (1), shall be credited to this appropriation account.

21 **SECTION 12.** 20.455 (2) (kn) of the statutes is renumbered 20.625 (1) (kn) and
22 amended to read:

23 20.625 (1) (kn) *Alternatives to prosecution and incarceration ~~for persons who~~*
24 ~~*use alcohol or other drugs; justice information fee.*~~ The amounts in the schedule for

1 administering and making ~~grants~~ payments to counties ~~and tribes under that~~
2 comply with the criteria specified in s. 165.95 (2) (3). All moneys transferred from
3 the appropriation account under s. 20.505 (1) (id) 5. shall be credited to this
4 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
5 balance on June 30 of each year shall be transferred to the appropriation account
6 under s. 20.505 (1) (id).

7 **SECTION 13.** 20.455 (2) (kv) of the statutes is renumbered 20.625 (1) (kv) and
8 amended to read:

9 20.625 (1) (kv) ~~Grants for substance abuse treatment programs~~ Programs for
10 criminal offenders. All moneys received under s. 961.41 (5) (c) 2. or 973.043 for the
11 purpose of making ~~grants~~ payments to counties ~~and tribes under that comply with~~
12 the criteria specified in s. 165.95 (2) (3).

13 **SECTION 14.** 20.505 (1) (cb) of the statutes is created to read:

14 20.505 (1) (cb) *Grants to tribes for alternatives to prosecution and*
15 *incarceration programs*. The amounts in the schedule for grants to federally
16 recognized American Indian tribes or bands in this state under s. 16.075 (2).

17 **SECTION 15.** 20.505 (1) (id) 5. of the statutes is amended to read:

18 20.505 (1) (id) 5. The amount transferred to s. ~~20.455 (2)~~ 20.625 (1) (kn) shall
19 be the amount in the schedule under s. ~~20.455 (2)~~ 20.625 (1) (kn).

20 **SECTION 16.** 20.625 (1) (cg) of the statutes is amended to read:

21 20.625 (1) (cg) *Circuit court costs*. Biennially, the amounts in the schedule to
22 make payments to counties for circuit court costs under s. 758.19 (5) (b).

23 **SECTION 17.** 20.625 (1) (d) of the statutes is created to read:

24 20.625 (1) (d) *Circuit court costs supplement*. Biennially, the amounts in the

1 schedule to make payments to counties for circuit court costs under s. 758.19 (5)
2 (bf), (bm), and (bn).

3 **SECTION 18.** 46.47 (1) (b) of the statutes is amended to read:

4 46.47 (1) (b) The county or tribe has an established ~~drug court, as defined~~
5 alternatives to prosecution and incarceration program, as described in s. ~~165.955~~
6 ~~(1)~~ 165.95 (3).

7 **SECTION 19.** 165.25 (10m) (intro.) of the statutes is amended to read:

8 165.25 **(10m)** REPORT ON GRANTS. (intro.) Beginning on January 15, 2015,
9 and annually thereafter, the department of justice shall submit a report to the
10 legislature under s. 13.172 (2), regarding its administration of grant programs
11 under ~~ss. s.~~ s. 165.95, 2023 stats., s. 165.955, 2023 stats., and ss. 165.96, 165.986, and
12 165.987. The report shall include, for each grant program, all of the following
13 information:

14 **SECTION 20.** 165.95 (title) of the statutes is amended to read:

15 **165.95** (title) **Alternatives to prosecution and incarceration;** ~~grant~~
16 ~~program programs.~~

17 **SECTION 21.** 165.95 (1) (ac) of the statutes is created to read:

18 165.95 (1) (ac) “Evidence-based practice” means a practice that has been
19 developed using research to determine its efficacy for achieving positive measurable
20 outcomes, including reducing recidivism and increasing public safety.

21 **SECTION 22.** 165.95 (2) of the statutes is repealed.

22 **SECTION 23.** 165.95 (2m) of the statutes is created to read:

23 165.95 **(2m)** No later than January 1, 2027, each county shall operate an
24 alternatives to prosecution and incarceration program described under sub. (3). No

1 later than December 31, 2026, and by each December 31 thereafter, each county
2 shall certify to the director of state courts that is has, or will have, a qualifying
3 alternatives to prosecution and incarceration program by January 1 of the next
4 calendar year. The director of state courts may consult with the department of
5 justice to confirm whether the county operates a qualifying alternatives to
6 prosecution and incarceration program.

7 **SECTION 24.** 165.95 (2r) of the statutes is repealed.

8 **SECTION 25.** 165.95 (3) (intro.) of the statutes is amended to read:

9 165.95 (3) (intro.) ~~A county or tribe shall be eligible for a grant under sub. (2)~~
10 program under this section, including a suspended and deferred prosecution
11 program and a program based on principles of restorative justice, shall be
12 considered an alternatives to prosecution and incarceration program if all of the
13 following apply:

14 **SECTION 26.** 165.95 (3) (a) of the statutes is repealed.

15 **SECTION 27.** 165.95 (3) (ag) of the statutes is created to read:

16 165.95 (3) (ag) The program operates within the continuum from arrest to
17 discharge from supervision and provides an alternative to prosecution, revocation,
18 or incarceration through the use of pre-charge and post-charge diversion programs
19 or treatment courts and community-based corrections.

20 **SECTION 28.** 165.95 (3) (b) of the statutes is amended to read:

21 165.95 (3) (b) The program employs evidence-based practices and is designed
22 to promote and facilitate the implementation of effective criminal justice policies
23 and practices that maximize justice and public and victim safety, reduce prison and
24 jail populations, reduce prosecution and incarceration costs, and reduce recidivism;

1 ~~and improve the welfare of participants' families by meeting the comprehensive~~
2 ~~needs of participants.~~

3 **SECTION 29.** 165.95 (3) (bd) of the statutes is created to read:

4 165.95 (3) (bd) The program identifies each target population served by the
5 program and identifies the evidence-based practices the program employs for each
6 target population it serves.

7 **SECTION 30.** 165.95 (3) (cm) 2. of the statutes is created to read:

8 165.95 (3) (cm) 2. If the program is administered by a tribe, the criminal
9 justice oversight committee shall consist of a representative of the judiciary, a
10 representative of criminal prosecution and criminal defense, a social services
11 provider, a behavioral health treatment provider, a law enforcement officer, a
12 representative of corrections, and other members that the oversight committee
13 determines are appropriate to the program.

14 **SECTION 31.** 165.95 (3) (d) of the statutes is amended to read:

15 165.95 (3) (d) Services provided under the program are consistent with
16 evidence-based practices ~~in substance abuse and mental health treatment, as~~
17 ~~determined by the department of health services,~~ and the program provides
18 intensive case management.

19 **SECTION 32.** 165.95 (3) (e) of the statutes is amended to read:

20 165.95 (3) (e) The program uses graduated sanctions and incentives to
21 promote ~~successful substance abuse treatment~~ success.

22 **SECTION 33.** 165.95 (3) (g) of the statutes is amended to read:

23 165.95 (3) (g) The program is designed to integrate all ~~mental health~~ services

1 provided to program participants by state and local government agencies, tribes,
2 and other organizations. The program shall require regular communication and
3 coordination among a participant's ~~substance abuse treatment providers, other~~
4 service providers, the case manager, and any person designated under the program
5 to monitor the person's compliance with his or her obligations under the program,
6 and any probation, extended supervision, and parole agent assigned to the
7 participant.

8 **SECTION 34.** 165.95 (3) (h) of the statutes is amended to read:

9 165.95 (3) (h) The program provides ~~substance abuse and mental health~~
10 ~~treatment~~ services through providers that who use evidence-based practices in the
11 delivery of services and, where applicable, who are certified ~~by the department of~~
12 ~~health services~~ or licensed to provide the services approved under the program.

13 **SECTION 35.** 165.95 (3) (i) of the statutes is renumbered 165.95 (3d) and
14 amended to read:

15 165.95 (3d) The An alternatives to prosecution and incarceration program
16 ~~requires~~ under this section may require participants to pay a reasonable amount for
17 their treatment, based on their income and available assets, and ~~pursues to pursue~~
18 and ~~uses~~ use all possible resources available through insurance and federal, state,
19 and local aid programs, including cash, vouchers, and direct services.

20 **SECTION 36.** 165.95 (3) (j) of the statutes is amended to read:

21 165.95 (3) (j) The program is developed with input from, and implemented in
22 collaboration with, one or more circuit court judges, the district attorney, the state
23 public defender, local and, if applicable, tribal law enforcement officials, county

1 agencies and, if applicable, tribal agencies responsible for providing social services,
2 including services relating to ~~alcohol and other drug addiction~~ substance use
3 disorder, child welfare, mental health, and the Wisconsin Works program, the
4 departments of corrections, children and families, and health services, private
5 social services agencies, and substance ~~abuse~~ use disorder treatment providers.

6 **SECTION 37.** 165.95 (3) (k) of the statutes is repealed.

7 **SECTION 38.** 165.95 (5) (a) of the statutes is renumbered 165.95 (3) (cm)
8 (intro.) and amended to read:

9 165.95 (3) (cm) (intro.) ~~A county or tribe that receives a grant under this~~
10 ~~section shall create an~~ The program identifies a criminal justice oversight
11 committee to develop and implement the program design and advise the county or
12 tribe in administering and evaluating its program. ~~Each~~ The membership of each
13 criminal justice oversight committee shall be as follows:

14 1. If the program is administered by a county, the criminal justice oversight
15 committee shall consist of a circuit court judge, the district attorney or his or her
16 designee, the state public defender or his or her designee, a local law enforcement
17 official, a representative of the county, a representative of the tribe, if applicable, a
18 representative of each other county agency and, if applicable, tribal agency
19 responsible for providing social services, including services relating to child welfare,
20 mental health, and the Wisconsin Works program, representatives of the
21 department of corrections and department of health services, a representative from
22 private social services agencies, a representative of substance abuse behavioral

1 health treatment providers, and other members ~~to be determined by the county or~~
2 ~~tribe~~ the oversight committee determines are appropriate for the program.

3 **SECTION 39.** 165.95 (5) (b) of the statutes is renumbered 165.95 (5) (ag) and
4 amended to read:

5 165.95 (5) (ag) A county, or a tribe that receives a grant under ~~this section s.~~
6 16.075, shall comply with state audits and shall submit an annual report to the
7 department of justice and to the criminal justice oversight committee ~~created under~~
8 ~~par. (a) identified in sub. (3) (cm) regarding the impact of the program on jail and~~
9 ~~prison populations and its progress in attaining the goals specified in sub. (3) (b)~~
10 ~~and (f).~~

11 **SECTION 40.** 165.95 (5) (bg) of the statutes is amended to read:

12 165.95 (5) (bg) A county, or a tribe that receives a grant under ~~this section s.~~
13 16.075, shall submit data requested by the department of justice to the department
14 of justice each month. The department of justice may request any data regarding
15 the ~~project funded by the grant that is necessary to evaluate the project~~ alternatives
16 to prosecution and incarceration program and prepare the reports under sub. (5p).

17 **SECTION 41.** 165.95 (5m) of the statutes is repealed.

18 **SECTION 42.** 165.95 (5p) (a) of the statutes is amended to read:

19 165.95 (5p) (a) The department of justice shall, annually, analyze the data
20 submitted under sub. (5) (bg) and prepare a progress report that evaluates the
21 effectiveness of ~~the grant program~~ alternatives to prosecution and incarceration
22 programs in this state. The department of justice shall make the report available to
23 the public.

24 **SECTION 43.** 165.95 (5p) (b) of the statutes is amended to read:

1 165.95 (5p) (b) The department of justice shall, every 5 years, prepare a
2 comprehensive report that analyzes the data it receives under sub. (5) (bg) and the
3 annual reports it produces under par. (a). The department of justice shall include
4 in this comprehensive report a cost benefit analysis of ~~the grant program~~
5 alternatives to prosecution and incarceration programs and shall submit the report
6 to the chief clerk of each house of the legislature for distribution to the legislature
7 under s. 13.172 (2).

8 **SECTION 44.** 165.95 (6) of the statutes is renumbered 16.075 (7) and amended
9 to read:

10 16.075 (7) A ~~county or~~ tribe may, with one or more other ~~counties or~~ tribes,
11 jointly apply for and receive a grant under ~~this section~~ sub. (2). Upon submitting a
12 joint application, each ~~county or~~ tribe shall include with the application a written
13 agreement specifying each tribe's ~~and each county department's~~ role in developing,
14 administering, and evaluating the program. The oversight committee ~~established~~
15 ~~under sub. (5) (a)~~ identified in s. 165.95 (3) (cm) shall consist of representatives
16 from each ~~county or~~ tribe.

17 **SECTION 45.** 165.95 (7) of the statutes is repealed.

18 **SECTION 46.** 165.95 (7m) of the statutes is renumbered 16.075 (3) and
19 amended to read:

20 16.075 (3) ~~Beginning in fiscal year 2012-13, the~~ The department of justice
21 ~~shall, every 5 years, make grants under this section~~ sub. (2) available to any ~~county~~
22 ~~or~~ tribe on a competitive basis. A ~~county or~~ tribe may apply for a grant under ~~this~~
23 ~~subsection~~ sub. (2) regardless of whether the ~~county or~~ tribe has received a grant
24 previously under ~~this section~~ sub. (2).

1 **SECTION 47.** 165.95 (8) of the statutes is amended to read:

2 165.95 (8) The department of justice shall assist a county or tribe ~~receiving a~~
3 ~~grant under this section~~ that operates an alternatives to prosecution and
4 incarceration program in obtaining funding from other sources for its program.

5 **SECTION 48.** 165.95 (9) of the statutes is renumbered 16.075 (4) and amended
6 to read:

7 16.075 (4) The department of justice shall inform any ~~county or~~ tribe that is
8 applying for a grant under ~~this section~~ sub. (2) whether the ~~county or~~ tribe meets
9 the requirements established under ~~sub. s. 165.95~~ (3), regardless of whether the
10 ~~county or~~ tribe receives a grant.

11 **SECTION 49.** 165.95 (10) of the statutes is repealed.

12 **SECTION 50.** 165.955 of the statutes is repealed.

13 **SECTION 51.** 302.43 of the statutes is amended to read:

14 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
15 in the amount of one-fourth of his or her term for good behavior if sentenced to at
16 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
17 for time served prior to sentencing under s. 973.155, including good time under s.
18 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects
19 or refuses to perform any duty lawfully required of him or her, may be deprived by
20 the sheriff of good time under this section, except that the sheriff shall not deprive
21 the inmate of more than 2 days good time for any one offense without the approval
22 of the court. An inmate who files an action or special proceeding, including a
23 petition for a common law writ of certiorari, to which s. 807.15 applies shall be
24 deprived of the number of days of good time specified in the court order prepared

1 under s. 807.15 (3). This section does not apply to a person who is confined in the
2 county jail in connection with his or her participation in a substance abuse
3 treatment program that meets the requirements of s. 165.95 (3), as determined by
4 the department of justice ~~under s. 165.95 (9) and (10)~~.

5 **SECTION 52.** 758.19 (5) (bf) of the statutes is created to read:

6 758.19 (5) (bf) No later than January 1, 2026, from the appropriation under s.
7 20.625 (1) (d), the director of state courts shall make payments to counties totaling
8 \$24,596,100, which the director of state courts shall distribute as follows:

9 1. For each circuit court branch in the county, \$52,300.

10 2. In addition to the payment under subd. 1., for each county with one or fewer
11 circuit court branches, \$12,400.

12 3. In addition to the payment under subd. 1., for each county with more than
13 one circuit court branch, a payment equal to the county's proportion of the state
14 population multiplied by the amount remaining in the appropriation under s.
15 20.625 (1) (d) after the payments are made under subds. 1. and 2.

16 **SECTION 53.** 758.19 (5) (bm) of the statutes is created to read:

17 758.19 (5) (bm) No later than July 1, 2026, from the appropriation under s.
18 20.625 (1) (d), the director of state courts shall make payments to counties totaling
19 \$35,000,000, which the director of state courts shall distribute as follows:

20 1. For each circuit court branch in the county, \$74,500.

21 2. In addition to the payment under subd. 1., for each county with one or fewer
22 circuit court branches, \$17,600.

23 3. In addition to the payment under subd. 1., for each county with more than
24 one circuit court branch, a payment equal to the county's proportion of the state

1 population multiplied by the amount remaining in the appropriation under s.
2 20.625 (1) (d) after the payments are made under subds. 1. and 2.

3 **SECTION 54.** 758.19 (5) (bn) of the statutes is created to read:

4 758.19 (5) (bn) No later than January 1, 2027, and by every January 1 and
5 July 1 thereafter, from the appropriation under s. 20.625 (1) (d), the director of state
6 courts shall make payments to counties totaling \$35,000,000, which the director of
7 state courts shall distribute as follows:

8 1. For each circuit court branch in the county, \$74,500.

9 2. In addition to the payment under subd. 1., for each county with one or fewer
10 circuit court branches, \$17,600.

11 3. If, after the payments are made under subds. 1. and 2., the total of a
12 county's payments equals less than 50 percent of the sum the county received as
13 grants in calendar year 2026 under s. 165.95, 2023 stats., and s. 165.955, 2023
14 stats., an additional payment for such a difference.

15 4. In addition to the payments under subds. 1. and 3., for each county with
16 more than one circuit court branch, a payment equal to the county's proportion of
17 the state population multiplied by the amount remaining in the appropriation
18 under s. 20.625 (1) (d) after the payments are made under subds. 1., 2., and 3.

19 **SECTION 55.** 758.19 (5) (d) of the statutes is created to read:

20 758.19 (5) (d) For payments under pars. (b), (bf), (bm), and (bn), for counties
21 that share the services of one or more circuit court branches, the director of state
22 courts shall annually determine the proportional share of that circuit court branch
23 for each county on the basis of the circuit court branch caseload in each county.

24 **SECTION 56.** 758.19 (5) (g) of the statutes is created to read:

1 758.19 (5) (g) A county that fails to meet the requirements under s. 165.95
2 (2m) is not eligible for a payment under par. (bn) until the county establishes an
3 alternatives to prosecution and incarceration program described under s. 165.95
4 (3).

5 **SECTION 57.** 961.385 (2) (cm) 3. b. of the statutes is amended to read:

6 961.385 (2) (cm) 3. b. The state board or agency, agency of another state, law
7 enforcement agency, or prosecutorial unit makes a written request for the record
8 and is monitoring the patient as part of a drug court, as defined in s. 165.955 (1),
9 2023 stats.

10 **SECTION 58.** 961.41 (5) (c) 2. of the statutes is amended to read:

11 961.41 (5) (c) 2. All moneys in excess of \$850,000 and up to \$1,275,000 plus
12 one-third of moneys in excess of \$1,275,000 collected in each fiscal year from drug
13 surcharges under this subsection shall be credited to the appropriation account
14 under s. ~~20.455 (2) (kv)~~ 20.625 (1) (kv).

15 **SECTION 59.** 961.472 (5) (b) of the statutes is amended to read:

16 961.472 (5) (b) The person is participating in a substance abuse treatment
17 program that meets the requirements of s. 165.95 (3), as determined by the
18 department of justice ~~under s. 165.95 (9) and (10)~~.

19 **SECTION 60.** 967.11 (1) of the statutes is amended to read:

20 967.11 (1) In this section, “approved substance abuse treatment program”
21 means a substance abuse treatment program that meets the requirements of s.
22 165.95 (3), as determined by the department of justice ~~under s. 165.95 (9) and (10)~~.

23 **SECTION 61.** 973.043 (3) of the statutes is amended to read:

24 973.043 (3) All moneys collected from drug offender diversion surcharges

1 shall be credited to the appropriation account under s. ~~20.455 (2) (kv)~~ 20.625 (1)
2 (kv) and used for the purpose of making ~~grants~~ payments to counties ~~under that~~
3 comply with the criteria specified in s. 165.95 (3).

4 **SECTION 62.** 973.155 (1m) of the statutes is amended to read:

5 973.155 (1m) A convicted offender shall be given credit toward the service of
6 his or her sentence for all days spent in custody as part of a substance abuse
7 treatment program that meets the requirements of s. 165.95 (3), as determined by
8 the department of justice ~~under s. 165.95 (9) and (10),~~ for any offense arising out of
9 the course of conduct that led to the person's placement in that program.

10 **SECTION 9101. Nonstatutory provisions; Administration.**

11 (1) ALTERNATIVES TO PROSECUTION AND INCARCERATION GRANT PROGRAM.
12 Notwithstanding s. 16.42 (1) (e), in submitting information under s. 16.42 for
13 purposes of the 2027 biennial budget act, the department of administration shall
14 submit information concerning the appropriation under s. 20.505 (1) (cb) as though
15 the total amount appropriated under s. 20.505 (1) (cb) for the 2026-27 fiscal year
16 was \$142,500 more than the total amount that was actually appropriated under s.
17 20.505 (1) (cb) for the 2026-27 fiscal year.

18 **SECTION 9127. Nonstatutory provisions; Justice.**

19 (1) ALTERNATIVES TO PROSECUTION AND INCARCERATION GRANT PROGRAM.
20 Notwithstanding s. 165.95 (7) and (7m), the department of justice may not make
21 any grants for the calendar year beginning January 1, 2027.

22 **SECTION 9401. Effective dates; Administration.**

23 (1) ALTERNATIVES TO PROSECUTION AND INCARCERATION GRANT PROGRAM.
24 The treatment of ss. 16.075 and 20.505 (1) (cb) takes effect on January 1, 2027.

SECTION 9407. Effective dates; Circuit Courts.

(1) ALTERNATIVES TO PROSECUTION AND INCARCERATION GRANT PROGRAM.

The treatment of ss. 758.19 (5) (g) and 961.385 (2) (cm) 3. b. takes effect on January 1, 2027.

SECTION 9427. Effective dates; Justice.

(1) ALTERNATIVES TO PROSECUTION AND INCARCERATION AND DRUG COURT

GRANT PROGRAMS. The treatment of ss. 20.455 (2) (eg), (em), (jd), (kn), and (kv), 20.505 (1) (id) 5., 46.47 (1) (b), 165.25 (10m) (intro.), 165.95 (title), (1) (ac), (2), (2m), (2r), (3) (intro.), (a), (ag), (b), (bd), (cm) 2., (d), (e), (g), (h), (i), (j), and (k), (5) (a), (b), and (bg), (5m), (5p) (a) and (b), (6), (7), (7m), (8), (9), and (10), 165.955, 961.41 (5) (c) 2., and 973.043 (3) take effect on January 1, 2027.”.

10. At the appropriate places, insert all of the following:

“**SECTION 63.** 165.83 (2) (d) of the statutes is amended to read:

165.83 (2) (d) ~~Obtain~~ Except as provided in par. (dd), obtain and file information relating to identifiable stolen or lost property.

SECTION 64. 165.83 (2) (dd) of the statutes is created to read:

165.83 (2) (dd) 1. If a law enforcement agency forwards a file under s. 175.36 (2) (a) 2. to the department, enter the information into the national crime information center systems and put the file in a database that is created for stolen or lost firearms and make the database available to law enforcement agencies for the purpose of locating and identifying stolen or lost firearms and identifying violators of s. 175.36 (1).

2. If a law enforcement agency notifies the department under s. 175.36 (2) (b)

1 that a stolen or lost firearm has been recovered, enter that information into the
2 national crime information center systems and add to the database a notation that
3 the firearm has been recovered and the date on which it was recovered.

4 **SECTION 65.** 175.36 of the statutes is created to read:

5 **175.36 Reporting stolen or lost firearm.** (1) (a) A person who owns a
6 firearm and who discovers that the firearm is stolen or lost shall, within 24 hours of
7 the discovery, report the theft or loss to a law enforcement agency that has
8 jurisdiction over the area in which the firearm was stolen or lost.

9 (b) If a person who has reported a theft or loss under par. (a) recovers the
10 firearm, the person shall report as soon as practicable to a law enforcement agency
11 the date on which the firearm was recovered.

12 (2) (a) A law enforcement agency that receives under sub. (1) (a) a report of a
13 stolen or lost firearm shall do all of the following:

14 1. Create a file that includes, if known, the date on which the firearm was
15 stolen or lost; the caliber, make, and model of the firearm; the serial number of the
16 firearm; any distinguishing mark on the firearm; and the location at which the
17 firearm was purchased by, or transferred to, the person making the report under
18 sub. (1) (a).

19 2. As soon as practicable, forward a copy of the file created under subd. 1. to
20 the department of justice for inclusion in a database under s. 165.83 (2) (dd).

21 (b) A law enforcement agency that receives under sub. (1) (b) a report of a
22 recovered firearm shall report to the department of justice the date on which the
23 firearm was recovered.

1 (3) A person who reports under sub. (1) (a) a stolen or lost firearm, when he or
2 she knows that the report is false, is guilty of violating s. 946.41.

3 (4) A person who violates sub. (1) (a) is guilty of one of the following:

4 (a) For a first offense, a Class A misdemeanor.

5 (b) For a 2nd or subsequent offense, a Class I felony.

6 **SECTION 66.** 175.37 (title) of the statutes is amended to read:

7 **175.37** (title) **Warning Requirements whenever transferring a**
8 **firearm.**

9 **SECTION 67.** 175.37 (1) of the statutes is renumbered 175.37 (1) (intro.) and
10 amended to read:

11 175.37 (1) (intro.) Upon the retail commercial sale or retail commercial
12 transfer of any firearm, the seller or transferor shall provide to the buyer or
13 transferee all of the following:

14 (a) A written warning in block letters not less than one-fourth inch in height:
15 “IF YOU LEAVE A LOADED FIREARM WITHIN THE REACH OR EASY
16 ACCESS OF A CHILD YOU MAY BE FINED OR IMPRISONED OR BOTH IF
17 THE CHILD IMPROPERLY DISCHARGES, POSSESSES OR EXHIBITS THE
18 FIREARM.”

19 **SECTION 68.** 175.37 (1) (b) of the statutes is created to read:

20 175.37 (1) (b) A secure, lockable container that is designed to store a firearm
21 or a trigger lock for the firearm.

22 **SECTION 69.** 175.37 (1) (c) of the statutes is created to read:

1 175.37 (1) (c) A written notice of the requirements under s. 175.36 (1) and of
2 the penalties under s. 175.36 (4).

3 **SECTION 70.** 939.6195 (1) (a) 1. of the statutes is amended to read:

4 939.6195 (1) (a) 1. A violation of s. 941.29 ~~or~~, 941.2905, or 941.293.

5 **SECTION 71.** 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,
8 transfer, use, or possess a trigger crank, a bump-fire device, or any part,
9 combination of parts, component, device, attachment, or accessory that is added
10 after manufacture that is designed to accelerate or functions to accelerate the rate
11 of fire of a semiautomatic firearm.

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

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

16 **SECTION 72.** 941.29 (1g) (a) of the statutes is amended to read:

17 941.29 (1g) (a) "Violent felony" means any felony under s. 943.23 (1m), 1999
18 stats., s. 943.23 (1r), 1999 stats., or s. 943.23 (1g), 2021 stats., ~~this section sub. (1m)~~,
19 or s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195,
20 940.198, 940.20, 940.201, 940.203, 940.204, 940.21, 940.225, 940.23, 940.235,
21 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305, 940.31, 940.43 (1) to (3),
22 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.285, 941.2905, 941.292, 941.293,
23 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.231 (1),

943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

SECTION 73. 941.29 (3m) of the statutes is created to read:

941.29 (3m) (a) A person who resides with a person who is prohibited under sub. (1m) from possessing a firearm shall, when not carrying the firearm, store any firearm he or she possesses in a securely locked box or container or in a locked location that a reasonable person would believe to be secure or ensure that a trigger lock is engaged on the firearm.

(b) A person who violates par. (a) is guilty of the following:

1. For a first violation, a Class A misdemeanor.

2. For a 2nd or subsequent violation, a Class I felony.

SECTION 74. 941.291 (1) (b) of the statutes is amended to read:

941.291 (1) (b) "Violent felony" means any felony, or the solicitation, conspiracy, or attempt to commit any felony, under s. 943.23 (1m) or (1r), 1999 stats., or s. 943.23 (1g), 2021 stats., or s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198, 940.20, 940.201, 940.203, 940.204, 940.21, 940.225, 940.23, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.285, 941.29 (1m), 941.293, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.231 (1), 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is a financial institution, as defined in s. 943.80 (2), a felony, or the solicitation, conspiracy, or attempt to commit a felony under s. 943.84 (1) or (2).

1 **SECTION 75.** 941.293 of the statutes is created to read:

2 **941.293 Undetectable firearms; serial numbers on firearm**
3 **components.** (1) In this section:

4 (a) “Major component” means the barrel, the slide or cylinder, or the frame or
5 receiver of a firearm.

6 (b) “Undetectable firearm” means any of the following:

7 1. A firearm that, after the removal of grips, stocks, and magazines, is not
8 detectable by a metal detector calibrated to detect a security exemplar, as defined in
9 18 USC 922 (p) (2) (C).

10 2. A firearm if any major component of it does not generate an image that
11 accurately depicts the shape of the component when subject to inspection by
12 security scanners, x-ray machines, or other security devices commonly used at
13 airports.

14 **(2)** (a) 1. Whoever sells, offers to sell, transfers, transports, manufactures,
15 possesses, or goes armed with an undetectable firearm is guilty of a Class G felony.

16 2. Whoever sells, offers to sell, transfers, posts, provides to another, or
17 possesses plans for manufacturing an undetectable firearm is guilty of a Class H
18 felony.

19 (b) Paragraph (a) does not apply to a person who is licensed by a state or the
20 federal government to manufacture undetectable firearms while the person is on
21 official duty. Paragraph (a) 1. does not apply to a law enforcement officer while on
22 official duty or to armed forces or national guard personnel while on official duty.

23 **(3)** (a) Whoever possesses a frame or a receiver of a firearm that is not

1 attached to a firearm and that is not marked or engraved with a serial number is
2 guilty of a Class I felony.

3 (b) Paragraph (a) does not apply to a firearm frame or receiver manufactured
4 before 1968, a person who is licensed by a state or the federal government to
5 manufacture undetectable firearms while the person is on official duty, a law
6 enforcement officer while on official duty, or armed forces or national guard
7 personnel while on official duty.

8 **SECTION 76.** 948.55 of the statutes is repealed and recreated to read:

9 **948.55 Storage of firearm if children present.** (1) Whoever resides with
10 a child, or knows a child will be present in his or her residence, may not store or
11 leave a firearm at his or her residence unless the firearm is in a securely locked box
12 or container or in a locked location that a reasonable person would believe to be
13 secure or unless a trigger lock is engaged on the firearm. This prohibition does not
14 apply to a person who is going armed with the firearm.

15 (2) A person who violates sub. (1) is guilty of the following:

16 (a) For a first violation, a Class A misdemeanor.

17 (b) For a 2nd or subsequent violation, a Class I felony.

18 **SECTION 77.** 968.02 (4) of the statutes is amended to read:

19 968.02 (4) If the alleged violator under s. 948.55 ~~(2)~~ or 948.60 (2) (c) is or was
20 the parent or guardian of a child who is injured or dies as a result of an accidental
21 shooting, the district attorney may consider, among other factors, the impact of the
22 injury or death on the alleged violator when deciding whether to issue a complaint
23 regarding the alleged violation. This subsection does not restrict the factors that a

1 district attorney may consider in deciding whether to issue a complaint regarding
2 any alleged violation.

3 **SECTION 78.** 968.07 (3) of the statutes is amended to read:

4 968.07 (3) If the alleged violator under s. 948.55 ~~(2)~~ or 948.60 (2) (c) is or was
5 the parent or guardian of a child who is injured or dies as a result of an accidental
6 shooting, no law enforcement officer may arrest the alleged violator until at least 7
7 days after the date of the shooting.

8 **SECTION 79.** 973.123 (1) of the statutes is amended to read:

9 973.123 (1) In this section, “violent felony” means any felony under s. 943.23
10 (1m), 1999 stats., s. 943.23 (1r), 1999 stats., or s. 943.23 (1g), 2021 stats., or s.
11 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195,
12 940.198, 940.20, 940.201, 940.203, 940.204, 940.21, 940.225, 940.23, 940.235,
13 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305, 940.31, 940.43 (1) to (3),
14 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.285, 941.29 (1m), 941.292, 941.293,
15 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.231 (1),
16 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051,
17 948.06, 948.07, 948.08, 948.085, or 948.30.

18 **SECTION 9151. Nonstatutory provisions; Other.**

19 (1) DELAYED PENALTY APPLICATION FOR VIOLATING PROHIBITION.
20 Notwithstanding s. 941.285, no person may be subject to a penalty for violating s.
21 941.285 (1) with regard to the possession of any device prohibited under that
22 section for the first 180 days after the effective date of this subsection.

23 **SECTION 9351. Initial applicability; Other.**

24 (1) REQUIREMENTS WHEN SELLING OR TRANSFERRING FIREARMS. The

1 treatment of s. 175.37 (title), the renumbering and amendment of s. 175.37 (1), and
2 the creation of s. 175.37 (1) (b) first apply to sales and transfers that occur on the
3 effective date of this subsection.

4 (2) LOST OR STOLEN FIREARMS. The treatment of s. 175.36 (1) (a) first applies
5 to discoveries of stolen or lost firearms made on the effective date of this subsection.

6 (3) REQUIREMENTS WHEN TRANSFERRING FIREARM. The creation of s. 175.37
7 (1) (c) first applies to sales and transfers that occur on the effective date of this
8 subsection.”.

9 **11.** At the appropriate places, insert all of the following:

10 “**SECTION 80.** 16.311 of the statutes is created to read:

11 **16.311 Supplement for crime victim services grants.** (1) From the
12 appropriation under s. 20.505 (1) (e), the secretary may supplement s. 20.455 (5)
13 (km) if the secretary determines that the moneys received from the federal
14 government for crime victim assistance under 34 USC 20103, together with the
15 moneys received in each fiscal year from the crime victim services surcharge under
16 s. 973.0452, are insufficient to provide grants to crime victim services
17 organizations under s. 165.935. If the secretary determines under this subsection
18 that moneys received are insufficient, the secretary shall determine the amount of
19 the supplement, but the secretary may not determine an amount that is larger than
20 the difference between \$44,500,000 and the sum of the moneys received in each
21 fiscal year under 34 USC 20103 plus the moneys received in each fiscal year under
22 s. 973.0452.

23 (2) In determining under sub. (1) whether the moneys received are
24 insufficient, the secretary may consider any factor, including:

1 (a) The needs of rural and urban communities.

2 (b) The amount of funding that a crime victim services organization receives
3 as a percentage of its operating budget from the state or federal government.

4 (c) The degree to which the services of a crime victim services organization
5 are coordinated with other resources in the community and state.

6 (d) The degree to which the services of a crime victim services organization
7 are provided either directly or through a contract, subcontract, service agreement,
8 or collaborative agreement with other organizations, entities, or individuals.

9 **SECTION 81.** 20.455 (5) (gL) of the statutes is created to read:

10 20.455 (5) (gL) *Grants for crime victim services.* All moneys received from the
11 crime victim services surcharge imposed under s. 973.0452 for the purpose of
12 awarding grants under s. 165.935.

13 **SECTION 82.** 20.455 (5) (km) of the statutes is created to read:

14 20.455 (5) (km) *Grants for crime victim services supplement — state funds.* All
15 moneys transferred from the appropriation account under s. 20.505 (1) (e) for the
16 purposes of awarding grants under s. 165.935.

17 **SECTION 83.** 20.505 (1) (e) of the statutes is created to read:

18 20.505 (1) (e) *Supplement to crime victim services grant program.* A sum
19 sufficient not to exceed in each fiscal year the amount determined under s. 16.311
20 (1) to supplement the crime victim services grant program under s. 165.935 as
21 provided in s. 16.311.

22 **SECTION 84.** 165.935 of the statutes is created to read:

23 **165.935 Crime victim services grants.** (1) The department of justice
24 shall award grants to eligible organizations from the appropriations under s. 20.455

(5) (gL) and (km) to provide services for crime victims. The department of justice shall award grants under this section in a manner consistent with 34 USC 20103.

(2) An organization is eligible for a grant under this section if the department of justice determines that the organization meets the criteria under 34 USC 20103 (b).

(3) The grant awards under this section may supplement federal funds under 34 USC 20103 but may not replace the funds.

SECTION 85. 814.75 (5g) of the statutes is created to read:

814.75 (5g) The crime victim services surcharge under s. 973.0452.

SECTION 86. 814.76 (4p) of the statutes is created to read:

814.76 (4p) The crime victim services surcharge under s. 973.0452.

SECTION 87. 814.77 (3p) of the statutes is created to read:

814.77 (3p) The crime victim services surcharge under s. 973.0452.

SECTION 88. 814.78 (4p) of the statutes is created to read:

814.78 (4p) The crime victim services surcharge under s. 973.0452.

SECTION 89. 814.79 (3p) of the statutes is created to read:

814.79 (3p) The crime victim services surcharge under s. 973.0452.

SECTION 90. 814.80 (4p) of the statutes is created to read:

814.80 (4p) The crime victim services surcharge under s. 973.0452.

SECTION 91. 814.81 (4) of the statutes is created to read:

814.81 (4) The crime victim services surcharge under s. 973.0452.

SECTION 92. 973.0452 of the statutes is created to read:

973.0452 Crime victim services surcharge. (1) If a court imposes a sentence, places a person on probation, or imposes a forfeiture for a violation of a

1 law or an ordinance, the court shall impose a crime victim services surcharge. A
2 surcharge imposed under this subsection may not be waived, reduced, or forgiven
3 for any reason. The amount of the surcharge is the combined amount of the
4 following:

5 (a) Forty percent of the fine or forfeiture imposed or \$40, whichever is greater,
6 for each offense.

7 (b) For each misdemeanor or felony count for which a conviction occurred, \$50.

8 **(2)** (a) In this subsection, “civil offense” means an offense punishable by a
9 forfeiture.

10 (b) If the court finds a person committed a civil offense on or after the effective
11 date of this paragraph [LRB inserts date], in addition to any forfeiture the court
12 imposes, the court shall impose a crime victim services surcharge that is equal to
13 the amounts under sub. (1) (a) and (b) if all of the following apply:

14 1. The person is charged with one or more misdemeanors or felonies in a
15 complaint.

16 2. As a result of the complaint being amended, the person is charged with a
17 civil offense in lieu of one of those misdemeanors or felonies.

18 **(3)** Notwithstanding sub. (1), the court may not impose the surcharge under
19 sub. (1) for a violation of state laws or municipal or county ordinances involving
20 nonmoving traffic violations.

21 **(4)** (a) If a court of record imposes the surcharge under sub. (1), the clerk of
22 the court shall determine the amount that is due and collect and transmit the
23 amount to the county treasurer as provided in s. 59.40 (2) (m). The county

1 treasurer shall make payment to the secretary of administration as provided in s.
2 59.25 (3) (f) 2.

3 (b) If a municipal court imposes the surcharge under sub. (1), the court shall
4 determine the amount due and collect and transmit the amount to the treasurer of
5 the county, city, town, or village, and the treasurer shall make payment to the
6 secretary of administration as provided in s. 66.0114 (1) (bm).

7 (5) If an inmate in a state prison or a person sentenced to a state prison has
8 not paid the surcharge under sub. (1), the department shall assess and collect the
9 amount owed from the inmate's wages or other moneys. Any amount collected
10 under this subsection shall be transmitted to the secretary of administration.

11 **SECTION 9351. Initial applicability; Other.**

12 (1) CRIME VICTIM SERVICES SURCHARGE. The treatment of s. 973.0452 (1) first
13 applies to sentences, periods of probation, or civil forfeitures imposed on the
14 effective date of this subsection.”.

15 **12.** At the appropriate places, insert all of the following:

16 “**SECTION 93.** 16.19 of the statutes is created to read:

17 **16.19 Civil legal services.** From the appropriation under s. 20.505 (1) (ep),
18 the department shall award grants to the Wisconsin Trust Account Foundation,
19 Inc., to provide civil legal services. The Wisconsin Trust Account Foundation, Inc.,
20 shall distribute the amount received as grants to programs that provide civil legal
21 services, and those programs may use the grant funds to match other federal and
22 private grants. The grants may be used only for the purposes for which the funding
23 was provided.

1 **SECTION 94.** 20.505 (1) (ep) of the statutes is created to read:

2 20.505 (1) (ep) *Civil legal services.* As a continuing appropriation, the
3 amounts in the schedule to provide grants under s. 16.19 to the Wisconsin Trust
4 Account Foundation, Inc., for the provision of civil legal services.”.

5 **13.** At the appropriate places, insert all of the following:

6 “**SECTION 95.** 15.105 (35) of the statutes is created to read:

7 15.105 (**35**) OFFICE OF VIOLENCE PREVENTION. There is created in the
8 department of administration an office of violence prevention.

9 **SECTION 96.** 16.02 of the statutes is created to read:

10 **16.02 Office of violence prevention. (1) PURPOSE.** The office of violence
11 prevention shall coordinate and expand violence prevention activities in this state.

12 **(2) DUTIES.** The office of violence prevention shall do all of the following:

13 (a) Establish a violence prevention focus across state government.

14 (b) Collaborate with other state agencies that are interested or active in the
15 reduction of interpersonal violence, including child abuse, elder abuse, violence
16 against youth, domestic violence, gun violence, intimate partner violence, suicide,
17 sexual assault, and gender-based violence.

18 (c) Support the development and implementation of comprehensive,
19 community-based violence prevention initiatives within local units of government
20 across the state, including collaborating with law enforcement agencies.

21 (d) Develop sources of funding beyond state revenues to maintain the office
22 and expand its activities.

1 (e) Create a directory of existing violence prevention services and activities in
2 each county.

3 (f) Support and provide technical assistance to local organizations that
4 provide violence prevention services, including in seeking out and applying for
5 grant funding in support of their initiatives and provide technical assistance and
6 support to the organizations to maximize the organizations' likelihood of success
7 with their applications.

8 (g) Develop public education campaigns to promote safer communities.

9 **(3) GRANTS.** (a) From the appropriation under s. 20.505 (1) (bs), the office of
10 violence prevention shall award grants to support effective violence reduction
11 initiatives in communities across the state, including supporting efforts to reduce
12 gun violence, group violence, suicides, domestic violence, intimate partner violence,
13 and gender-based violence.

14 (b) The grants under this subsection shall be used to support, expand, and
15 replicate evidence-based violence reduction initiatives, including hospital-based
16 violence intervention programs, evidence-based street outreach programs, and
17 focused deterrence strategies, that seek to interrupt the cycles of violence,
18 victimization, and retaliation in order to reduce the incidence of firearm violence.

19 (c) Of the grants the department awards under this section, the department
20 shall award up to \$3,000,000 in grants each fiscal year to federally recognized
21 American Indian tribes or bands in this state and organizations affiliated with
22 tribes relating to missing and murdered indigenous women.

23 (d) Of the grants the department awards under this section, the department
24 shall award up to \$500,000 in suicide prevention grants each fiscal year to

organizations or coalitions of organizations, which may include a city, village, town, county, or federally recognized American Indian tribe or band in this state, for any of the following purposes:

1. To train staff at a firearm retailer or firearm range on how to recognize a person who may be considering suicide.

2. To provide suicide prevention materials for distribution at a firearm retailer or firearm range.

3. To provide voluntary, temporary firearm storage.

SECTION 97. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

				2025-26	2026-27
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20.505 Administration, department of

(1) SUPERVISION AND MANAGEMENT

(bp) Office of violence prevention;

general program operations	GPR	A	597,200	694,100
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(bs) Office of violence prevention;

violence reduction initiative	GPR	A	3,500,000	8,500,000
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SECTION 98. 20.505 (1) (bp) of the statutes is created to read:

20.505 (1) (bp) *Office of violence prevention; general program operations.* The amounts in the schedule for the general program operations of the office of violence prevention.

SECTION 99. 20.505 (1) (bs) of the statutes is created to read:

20.505 (1) (bs) *Office of violence prevention; violence reduction initiative*

1 *grants.* The amounts in the schedule for violence reduction initiative grants
2 awarded under s. 16.02 (3).

3 **SECTION 9101. Nonstatutory provisions; Administration.**

4 (1) POSITION AUTHORIZATION; OFFICE OF VIOLENCE PREVENTION. The
5 authorized FTE positions for the department of administration are increased by 7.
6 GPR positions to staff the office of violence prevention.

7 (2) TASK FORCE ON MISSING AND MURDERED AFRICAN AMERICAN WOMEN AND
8 GIRLS.

9 (a) *Definition.* In this subsection, “nongovernmental organization” means a
10 nonprofit, nongovernmental organization that provides legal, social, or other
11 community services.

12 (b) *Membership.* There is created a task force on missing and murdered
13 African American women and girls. The task force shall consist of the following
14 members, who are knowledgeable in crime victims rights or violence protection,
15 and who shall be appointed by and serve at the pleasure of the governor unless
16 otherwise specified:

17 1. Two members of the senate, one appointed by the majority leader and one
18 appointed by the minority leader.

19 2. Two members of the assembly, one appointed by the speaker of the
20 assembly and one appointed by the minority leader.

21 3. Two representatives from among the following:

22 a. The Wisconsin Chiefs of Police Association.

23 b. The Badger State Sheriffs’ Association.

1 c. The division of criminal investigation within the department of justice.

2 4. One or more representatives from among the following:

3 a. The Wisconsin District Attorneys Association.

4 b. A U.S. Attorney's office in this state.

5 c. A judge or attorney working in juvenile court.

6 5. A county coroner or representative from a statewide coroner's association or
7 a representative of the department of health services.

8 6. Three or more representatives from among the following:

9 a. A statewide or local organization that provides legal services to African
10 American women and girls.

11 b. A statewide or local organization that provides advocacy or counseling for
12 African American women and girls who have been victims of violence.

13 c. A statewide or local organization that provides nonlegal services to African
14 American women and girls.

15 d. The Wisconsin Coalition Against Sexual Assault.

16 e. End Domestic Abuse Wisconsin.

17 f. An African American woman who is a survivor of gender violence.

18 (c) *Operation.*

19 1. The task force shall elect a chair and vice-chair from among the members of
20 the task force and may elect other officers as necessary. The task force shall
21 convene within 30 days after it is established and shall meet at least quarterly
22 thereafter, or upon the call of its chair, and may hold meetings throughout the state.
23 The task force shall meet sufficiently to accomplish the duties identified in par. (d).

1 2. The department of administration shall provide administrative support
2 services to the task force. The task force may call upon any state agency or officer to
3 assist the task force, and those agencies or officers shall cooperate with the task
4 force to the fullest extent possible.

5 3. The department of administration shall reimburse members of the task
6 force for their actual and necessary expenses incurred in carrying out their
7 functions.

8 (d) *Duties.*

9 1. The task force shall examine all of the following topics:

10 a. The systemic causes behind violence that African American women and
11 girls experience, including patterns and underlying factors that explain why
12 disproportionately high levels of violence occur against African American women
13 and girls, including underlying historical, generational, social, economic,
14 institutional, and cultural factors that may contribute to the violence.

15 b. Appropriate methods for tracking and collecting data on violence against
16 African American women and girls, including data on missing and murdered
17 African American women and girls.

18 c. Policies and institutions such as policing, child welfare, coroner practices,
19 and other governmental practices that impact violence against African American
20 women and girls and the investigation and prosecution of crimes of gender violence
21 against African American people.

22 d. Measures necessary to address and reduce violence against African
23 American women and girls.

1 e. Measures to help victims, victims' families, and victims' communities
2 prevent and heal from violence that occurs against African American women and
3 girls.

4 2. The task force shall, by December 31, 2025, and December 31, 2026, submit
5 to the governor a report that includes all of the following:

6 a. Proposed institutional policies and practices that are effective in reducing
7 gender violence and increasing the safety of African American women and girls.

8 b. Recommendations to eliminate violence against African American women
9 and girls.

10 c. Recommendations to help victims and communities heal from gender
11 violence and violence against African American women and girls.

12 3. In accomplishing the tasks in subds. 1. and 2., the task force shall seek out
13 and enlist the cooperation and assistance of nongovernmental organizations,
14 community and advocacy organizations working with the African American
15 community, and academic researchers and experts, specifically those specializing in
16 violence against African American women and girls, representing diverse
17 communities disproportionately affected by violence against women and girls, or
18 focusing on issues related to gender violence and violence against African American
19 women and girls.”.

20 **14.** At the appropriate places, insert all of the following:

21 **“SECTION 100.** 16.311 of the statutes is created to read:

22 **16.311 Supplement for crime victim services grants.** (1) From the
23 appropriation under s. 20.505 (1) (e), the secretary may supplement s. 20.455 (5)

(km) if the secretary determines that the moneys received from the federal government for crime victim assistance under 34 USC 20103, together with the moneys received in each fiscal year from the crime victim services surcharge under s. 973.0452, are insufficient to provide grants to crime victim services organizations under s. 165.935. If the secretary determines under this subsection that moneys received are insufficient, the secretary shall determine the amount of the supplement, but the secretary may not determine an amount that is larger than the difference between \$44,500,000 and the sum of the moneys received in each fiscal year under 34 USC 20103 plus the moneys received in each fiscal year under s. 973.0452.

(2) In determining under sub. (1) whether the moneys received are insufficient, the secretary may consider any factor, including:

(a) The needs of rural and urban communities.

(b) The amount of funding that a crime victim services organization receives as a percentage of its operating budget from the state or federal government.

(c) The degree to which the services of a crime victim services organization are coordinated with other resources in the community and state.

(d) The degree to which the services of a crime victim services organization are provided either directly or through a contract, subcontract, service agreement, or collaborative agreement with other organizations, entities, or individuals.

SECTION 101. 20.455 (5) (gL) of the statutes is created to read:

20.455 (5) (gL) *Grants for crime victim services.* All moneys received from the crime victim services surcharge imposed under s. 973.0452 for the purpose of awarding grants under s. 165.935.

1 **SECTION 102.** 20.455 (5) (km) of the statutes is created to read:

2 20.455 (5) (km) *Grants for crime victim services supplement — state funds.* All
3 moneys transferred from the appropriation account under s. 20.505 (1) (e) for the
4 purposes of awarding grants under s. 165.935.

5 **SECTION 103.** 20.505 (1) (e) of the statutes is created to read:

6 20.505 (1) (e) *Supplement to crime victim services grant program.* A sum
7 sufficient not to exceed in each fiscal year the amount determined under s. 16.311
8 (1) to supplement the crime victim services grant program under s. 165.935 as
9 provided in s. 16.311.

10 **SECTION 104.** 165.935 of the statutes is created to read:

11 **165.935 Crime victim services grants.** (1) The department of justice
12 shall award grants to eligible organizations from the appropriations under s. 20.455
13 (5) (gL) and (km) to provide services for crime victims. The department of justice
14 shall award grants under this section in a manner consistent with 34 USC 20103.

15 (2) An organization is eligible for a grant under this section if the department
16 of justice determines that the organization meets the criteria under 34 USC 20103
17 (b).

18 (3) The grant awards under this section may supplement federal funds under
19 34 USC 20103 but may not replace the funds.

20 **SECTION 105.** 814.75 (5g) of the statutes is created to read:

21 814.75 (5g) The crime victim services surcharge under s. 973.0452.

22 **SECTION 106.** 814.76 (4p) of the statutes is created to read:

23 814.76 (4p) The crime victim services surcharge under s. 973.0452.

24 **SECTION 107.** 814.77 (3p) of the statutes is created to read:

1 814.77 **(3p)** The crime victim services surcharge under s. 973.0452.

2 **SECTION 108.** 814.78 (4p) of the statutes is created to read:

3 814.78 **(4p)** The crime victim services surcharge under s. 973.0452.

4 **SECTION 109.** 814.79 (3p) of the statutes is created to read:

5 814.79 **(3p)** The crime victim services surcharge under s. 973.0452.

6 **SECTION 110.** 814.80 (4p) of the statutes is created to read:

7 814.80 **(4p)** The crime victim services surcharge under s. 973.0452.

8 **SECTION 111.** 814.81 (4) of the statutes is created to read:

9 814.81 **(4)** The crime victim services surcharge under s. 973.0452.

10 **SECTION 112.** 973.0452 of the statutes is created to read:

11 **973.0452 Crime victim services surcharge. (1)** If a court imposes a
12 sentence, places a person on probation, or imposes a forfeiture for a violation of a
13 law or an ordinance, the court shall impose a crime victim services surcharge. A
14 surcharge imposed under this subsection may not be waived, reduced, or forgiven
15 for any reason. The amount of the surcharge is the combined amount of the
16 following:

17 (a) Forty percent of the fine or forfeiture imposed or \$40, whichever is greater,
18 for each offense.

19 (b) For each misdemeanor or felony count for which a conviction occurred, \$50.

20 **(2)** (a) In this subsection, “civil offense” means an offense punishable by a
21 forfeiture.

22 (b) If the court finds a person committed a civil offense on or after the effective
23 date of this paragraph [LRB inserts date], in addition to any forfeiture the court

1 imposes, the court shall impose a crime victim services surcharge that is equal to
2 the amounts under sub. (1) (a) and (b) if all of the following apply:

3 1. The person is charged with one or more misdemeanors or felonies in a
4 complaint.

5 2. As a result of the complaint being amended, the person is charged with a
6 civil offense in lieu of one of those misdemeanors or felonies.

7 (3) Notwithstanding sub. (1), the court may not impose the surcharge under
8 sub. (1) for a violation of state laws or municipal or county ordinances involving
9 nonmoving traffic violations.

10 (4) (a) If a court of record imposes the surcharge under sub. (1), the clerk of
11 the court shall determine the amount that is due and collect and transmit the
12 amount to the county treasurer as provided in s. 59.40 (2) (m). The county
13 treasurer shall make payment to the secretary of administration as provided in s.
14 59.25 (3) (f) 2.

15 (b) If a municipal court imposes the surcharge under sub. (1), the court shall
16 determine the amount due and collect and transmit the amount to the treasurer of
17 the county, city, town, or village, and the treasurer shall make payment to the
18 secretary of administration as provided in s. 66.0114 (1) (bm).

19 (5) If an inmate in a state prison or a person sentenced to a state prison has
20 not paid the surcharge under sub. (1), the department shall assess and collect the
21 amount owed from the inmate's wages or other moneys. Any amount collected
22 under this subsection shall be transmitted to the secretary of administration.

23 **SECTION 9351. Initial applicability; Other.**

24 (1) CRIME VICTIM SERVICES SURCHARGE. The treatment of s. 973.0452 (1) first

1 applies to sentences, periods of probation, or civil forfeitures imposed on the
2 effective date of this subsection.”.

3 **15.** At the appropriate places, insert all of the following:

4 “**SECTION 113.** 20.455 (2) (gr) of the statutes, as affected by 2023 Wisconsin
5 Act 240, is repealed and recreated to read:

6 20.455 (2) (gr) *Handgun purchaser record check; checks for licenses or*
7 *certifications to carry concealed weapons.* All moneys received as fee payments
8 under ss. 175.35 (2i), 175.49 (5m), and 175.60 (7) (c) and (d), (13), and (15) (b) 4. a.
9 and b. to provide services under ss. 165.28, 175.35, 175.49, and 175.60.

10 **SECTION 9227. Fiscal changes; Justice.**

11 (1) SCHOOL SAFETY OPERATIONS. In the schedule under s. 20.005 (3) for the
12 appropriation to the department of justice under s. 20.455 (2) (gr), the dollar
13 amount for fiscal year 2025-26 is increased by \$688,300 to increase the authorized
14 FTE administrative staff positions for the department of justice by 12.0 PR
15 positions for the office of school safety. In the schedule under s. 20.005 (3) for the
16 appropriation to the department of justice under s. 20.455 (2) (gr), the dollar
17 amount for fiscal year 2026-27 is increased by \$882,600 to provide funding for the
18 positions authorized under this subsection.

19 **SECTION 9427. Effective dates; Justice.**

20 (1) REPEAL OF SUNSET FOR POSITIONS IN OFFICE OF SCHOOL SAFETY. The
21 repeal and recreation of s. 20.455 (2) (gr) takes effect on October 1, 2025, or on the
22 day after publication, whichever is later.”.

23 **16.** At the appropriate places, insert all of the following:

“SECTION 9227. Fiscal changes; Justice.

(1) CYBERSECURITY AND COMPLIANCE ENHANCEMENTS. In the schedule under s. 20.005 (3) for the appropriation to the department of justice under s. 20.455 (3) (a), the dollar amount for fiscal year 2025-26 is increased by \$6,000,000 to pay for supplies and services costs to meet federal requirements for criminal justice data and information systems security published by the U.S. department of justice in July 2024. In the schedule under s. 20.005 (3) for the appropriation to the department of justice under s. 20.455 (3) (a), the dollar amount for fiscal year 2026-27 is increased by \$1,500,000 to pay for supplies and services costs to meet federal requirements for criminal justice data and information systems security published by the U.S. department of justice in July 2024.”.

17. At the appropriate places, insert all of the following:

“SECTION 114. 175.35 (2) (d) of the statutes is amended to read:

175.35 (2) (d) ~~The~~ If the firearm is a handgun, 48 hours have elapsed from the time that the firearms dealer has received ~~an approval~~ a confirmation number regarding the firearms restrictions record search under sub. (2g) (c) from the department of justice ~~or, if the firearm is not a handgun, the firearms dealer has received a confirmation number regarding the firearms restrictions record search under sub. (2g) (c) from the department of justice and, for any firearm, the firearms dealer has not been notified that the person is prohibited under state or federal law from possessing a firearm or that the department needs an extension under sub. (2g) (c) 4. c.~~

SECTION 115. 175.35 (2g) (c) 4. c. of the statutes is amended to read:

1 175.35 (2g) (c) 4. c. If the search indicates that it is unclear whether the
2 person is prohibited under state or federal law from possessing a firearm and the
3 department needs more time than provided under sub. (2) (d) to make the
4 determination, the department shall make every reasonable effort to determine
5 whether the person is prohibited under state or federal law from possessing a
6 firearm and notify the firearms dealer of the results as soon as practicable but no
7 later than 5 working days after the search was requested.

8 **SECTION 9327. Initial applicability; Justice.**

9 (1) WAITING PERIOD FOR HANDGUN PURCHASES. The treatment of s. 175.35
10 (2g) (c) 4. c. (by SECTION 115) and the amendment of s. 175.35 (2) (d) first apply to a
11 sale that occurs on the effective date of this subsection.”.

12 **18.** At the appropriate places, insert all of the following:

13 “**SECTION 116.** 165.63 (3) of the statutes is amended to read:

14 165.63 (3) REQUESTS FROM COURTS. In making a determination required
15 under s. 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1., a judge or court
16 commissioner shall request information under sub. (2) from the department or from
17 a law enforcement agency or law enforcement officer as provided in sub. (4) (d).

18 **SECTION 117.** 165.63 (4) (d) of the statutes is amended to read:

19 165.63 (4) (d) Aid the court in making a determination required under s.
20 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1. or aid an entity in making a
21 determination required under s. 968.20 (1m) (d) 2.

22 **SECTION 118.** 175.35 (1) (at) of the statutes is amended to read:

23 175.35 (1) (at) “Firearms restrictions record search” means a search of

1 department of justice records to determine whether a person seeking to purchase a
2 handgun is prohibited from possessing a firearm under s. 941.29 or is included in
3 the database under s. 165.64 (3). “Firearms restrictions record search” includes a
4 criminal history record search, a search to determine whether a person is
5 prohibited from possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats., a search
6 in the national instant criminal background check system to determine whether a
7 person has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45
8 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search to determine whether the person
9 is subject to an injunction under s. 813.12 or 813.122, or a tribal injunction, as
10 defined in s. 813.12 (1) (e), issued by a court established by any federally recognized
11 Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin,
12 that includes notice to the respondent that he or she is subject to the requirements
13 and penalties under s. 941.29 and that has been filed with the circuit court under s.
14 813.128 (3g), a search to determine whether the person is subject to a temporary
15 restraining order or injunction under s. 813.124, and a search to determine whether
16 the person is prohibited from possessing a firearm under s. 813.123 (5m) or 813.125
17 (4m).

18 **SECTION 119.** 175.60 (9g) (a) 2. of the statutes is amended to read:

19 175.60 **(9g)** (a) 2. The department shall conduct a criminal history record
20 search and shall search its records and conduct a search in the national instant
21 criminal background check system to determine whether the applicant is
22 prohibited from possessing a firearm under federal law; whether the applicant is
23 prohibited from possessing a firearm under s. 941.29; whether the applicant is

1 prohibited from possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats.;
2 whether the applicant has been ordered not to possess a firearm under s. 51.20 (13)
3 (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a); whether the applicant is
4 subject to an injunction under s. 813.12 or 813.122, or a tribal injunction, as defined
5 in s. 813.12 (1) (e), issued by a court established by any federally recognized
6 Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin,
7 that includes notice to the respondent that he or she is subject to the requirements
8 and penalties under s. 941.29 and that has been filed with the circuit court under s.
9 813.128 (3g); whether the applicant is subject to a temporary restraining order or
10 injunction under s. 813.124; and whether the applicant is prohibited from
11 possessing a firearm under s. 813.123 (5m) or 813.125 (4m); and to determine if the
12 court has prohibited the applicant from possessing a dangerous weapon under s.
13 969.02 (3) (c) or 969.03 (1) (c) and if the applicant is prohibited from possessing a
14 dangerous weapon as a condition of release under s. 969.01.

15 **SECTION 120.** 175.60 (11) (a) 2. f. of the statutes is amended to read:

16 175.60 (11) (a) 2. f. The individual becomes subject to ~~an~~ a temporary
17 restraining order or injunction described in s. 941.29 (1m) (f) or is ordered not to
18 possess a firearm under s. 813.123 (5m) or 813.125 (4m).

19 **SECTION 121.** 801.50 (5sb) of the statutes is created to read:

20 801.50 (5**sb**) Venue of an action under s. 813.124 shall be in the county in
21 which the cause of action arose or where the petitioner or the respondent resides.

22 **SECTION 122.** 801.58 (2m) of the statutes is amended to read:

23 801.58 (2**m**) If, under sub. (2), the judge determines that the request for

1 substitution was made timely and in proper form, any ex parte order granted by the
2 original judge remains in effect according to the terms, except that a temporary
3 restraining order issued under s. 813.12 (3), 813.122 (4), 813.123 (4), 813.124 (2t),
4 or 813.125 (3) by the original judge is extended until the newly assigned judge holds
5 a hearing on the issuance of an injunction. The newly assigned judge shall hear any
6 subsequent motion to modify or vacate any ex parte order granted by the original
7 judge.

8 **SECTION 123.** 813.06 of the statutes is amended to read:

9 **813.06 Security for damages.** In proceedings under s. 767.225 the court or
10 judge may, and in all other proceedings except proceedings under ss. 813.12,
11 813.122, 813.124, 813.125 and 823.113 the court or judge shall, require a bond of
12 the party seeking an injunction, with sureties, to the effect that he or she will pay to
13 the party enjoined such damages, not exceeding an amount to be specified, as he or
14 she may sustain by reason of the injunction if the court finally decides that the
15 party was not entitled thereto. Copies of such bond, affidavit or other pleading
16 shall be served upon the party enjoined and the officer serving the same shall,
17 within 8 days after such service, file his or her return in the office of the clerk of the
18 court.

19 **SECTION 124.** 813.124 of the statutes is created to read:

20 **813.124 Extreme risk protection temporary restraining orders and**
21 **injunctions. (1) DEFINITIONS.** In this section:

22 (a) “Family or household member” means any of the following:

23 1. A person related by blood, adoption, or marriage to the respondent.

1 2. A person with whom the respondent has or had a dating relationship, as
2 defined in s. 813.12 (1) (ag), or with whom the respondent has a child in common.

3 3. A person who resides with, or within the 6 months before filing a petition,
4 had resided with, the respondent.

5 4. A domestic partner under ch. 770 of the respondent.

6 5. A person who is acting or has acted as the respondent's legal guardian or
7 who is or was a foster parent or other physical custodian described in s. 48.62 (2) of
8 the respondent.

9 6. A person for whom the respondent is acting or has acted as a legal guardian
10 or for whom the respondent is or was the foster parent or other physical custodian
11 described in s. 48.62 (2).

12 (b) "Firearms dealer" has the meaning given in s. 175.35 (1) (ar).

13 (c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

14 **(2)** COMMENCEMENT OF ACTION AND RESPONSE. No action under this section
15 may be commenced by complaint and summons. An action under this section may
16 be commenced only by a petition described under sub. (4) (a).

17 **(2m)** PROCEDURE. Procedure for an action under this section is as follows:

18 (a) If the petitioner requests an extreme risk protection temporary restraining
19 order, the court shall consider the request as provided under sub. (2t). If the court
20 issues a temporary restraining order, the court shall set forth the date, which must
21 be within 14 days of issuing the temporary restraining order, for the hearing on the
22 injunction and shall forward a copy of the temporary restraining order, the
23 injunction hearing date, and the petition to the appropriate law enforcement agency

1 with jurisdiction over the respondent's residence. The law enforcement agency
2 shall immediately, or as soon as practicable, serve it on the respondent. If personal
3 service cannot be effected upon the respondent, the court may order other
4 appropriate service.

5 (b) The court shall hold a hearing under sub. (3) on whether to issue an
6 extreme risk protection injunction, which is the final relief. If there was no
7 temporary restraining order, the respondent shall be served notice of the petition by
8 a law enforcement officer and the date for the hearing shall be set upon motion by
9 either party. If personal service cannot be effected upon the respondent, the court
10 may order other appropriate service. The service shall include the name of the
11 respondent and of the petitioner, and, if known, notice of the date, time, and place of
12 the injunction hearing.

13 (c) When the respondent is served under this subsection, the respondent shall
14 be provided notice of the requirements and penalties under s. 941.29.

15 **(2t) EXTREME RISK PROTECTION TEMPORARY RESTRAINING ORDER.** (a) A judge
16 shall issue an extreme risk protection temporary restraining order under this
17 subsection prohibiting the respondent from possessing a firearm and ordering the
18 respondent to surrender all firearms in the respondent's possession if all of the
19 following occur:

20 1. A petitioner files a petition alleging the elements under sub. (4) (a), and
21 requests a temporary restraining order. The petition requesting a temporary
22 restraining order shall be heard by the court in an expedited manner. The court

1 shall examine under oath the petitioner and any witness the petitioner may
2 produce or may rely on an affidavit submitted in support of the petition.

3 2. The judge finds all of the following:

4 a. Substantial likelihood that the petition for an injunction will be successful.

5 b. Good cause to believe that there is an immediate and present danger that
6 the respondent may injure themselves or another person if the respondent possesses a
7 firearm and that waiting for the injunction hearing may increase the immediate
8 and present danger.

9 (b) A temporary restraining order issued under this subsection shall remain
10 in effect until a hearing is held on issuance of an injunction under sub. (3). Notice
11 need not be given to the respondent before issuing a temporary restraining order
12 under this subsection. A temporary restraining order may be entered against only
13 the respondent named in the petition and may not be renewed or extended.

14 (c) A temporary restraining order issued under this subsection shall inform
15 the respondent named in the petition of the requirements and penalties under s.
16 941.29.

17 (d) The temporary restraining order issued under this subsection shall
18 require one of the following:

19 1. If a law enforcement officer is able to personally serve the respondent with
20 the order, the officer to require the respondent to immediately surrender all
21 firearms in the respondent's possession.

22 2. If a law enforcement officer is not able to personally serve the respondent
23 with the order, the respondent to, within 24 hours of service, surrender all firearms

1 in the respondent's possession to a law enforcement officer or transfer or sell all
2 firearms in the respondent's possession to a firearms dealer. Within 48 hours of
3 service, the respondent shall file with the court that issued the order under this
4 subsection a receipt indicating that the respondent surrendered, transferred, or
5 sold the firearms. The receipt must include the date on which each firearm was
6 surrendered, transferred, or sold and the manufacturer, model, and serial number
7 of each firearm and must be signed by either the law enforcement officer to whom
8 the firearm was surrendered or the firearms dealer to whom the firearm was
9 transferred or sold.

10 **(3) EXTREME RISK PROTECTION INJUNCTION.** (a) The court shall hold a
11 hearing on whether to issue an extreme risk protection injunction, which is the
12 final relief. At the hearing, a judge may grant an injunction prohibiting the
13 respondent from possessing a firearm and, if there was no temporary restraining
14 order under sub. (2t), ordering the respondent to surrender all firearms in the
15 respondent's possession if all of the following occur:

16 1. The petitioner files a petition alleging the elements set forth under sub. (4)
17 (a).

18 2. The petitioner serves upon the respondent a copy or summary of the
19 petition and notice of the time for hearing on the issuance of the injunction, or the
20 respondent serves upon the petitioner notice of the time for hearing on the issuance
21 of the injunction.

22 3. The judge finds by clear and convincing evidence that the respondent is

1 substantially likely to injure themselves or another person if the respondent possesses
2 a firearm.

3 (b) The judge may enter an injunction against only the respondent named in
4 the petition.

5 (c) 1. Unless a judge vacates the injunction under par. (d), an injunction under
6 this subsection is effective for a period determined by the judge that is no longer
7 than one year.

8 2. When an injunction expires, the court shall extend the injunction, upon
9 petition, for up to one year if the judge finds by clear and convincing evidence that
10 the respondent is still substantially likely to injure themselves or another person if the
11 respondent possesses a firearm.

12 (d) A respondent who is subject to an injunction issued under this subsection
13 may request in writing a judge to vacate the injunction one time during any
14 injunction period. If a respondent files a request under this paragraph, the
15 petitioner shall be notified of the request before the judge considers the request.
16 The judge shall vacate the injunction if the respondent demonstrates by clear and
17 convincing evidence that the respondent is no longer substantially likely to injure
18 themselves or another person if the respondent possesses a firearm.

19 (e) An injunction issued under this subsection shall inform the respondent
20 named in the petition of the requirements and penalties under s. 941.29.

21 (4) PETITION. (a) The petition shall allege facts sufficient to show the
22 following:

1 1. The name of the petitioner and, unless the petitioner is a law enforcement
2 officer, how the petitioner is a family or household member of the respondent.

3 2. The name of the respondent.

4 3. That the respondent is substantially likely to injure themselves or another
5 person if the respondent possesses a firearm.

6 4. If the petitioner knows, the number, types, and locations of any firearms
7 that the respondent possesses.

8 5. If requesting a temporary restraining order, evidence of an immediate and
9 present danger that the respondent may injure themselves or another person if the
10 respondent possesses a firearm and that waiting for the injunction hearing may
11 increase the immediate and present danger.

12 (b) The clerk of the circuit court shall provide simplified forms to help a
13 person file a petition.

14 (c) Only the following persons may file a petition under this section:

15 1. A law enforcement officer.

16 2. A family or household member of the respondent.

17 **(5) ENFORCEMENT ASSISTANCE.** (a) 1. If a temporary restraining order is
18 issued under sub. (2t) or an injunction is issued, extended, or vacated under sub. (3),
19 the clerk of the circuit court shall notify the department of justice of the action and
20 shall provide the department of justice with information concerning the period
21 during which the order or injunction is in effect or the date on which the injunction
22 is vacated and with information necessary to identify the respondent for purposes

1 of responding to a request under s. 165.63 or for purposes of a firearms restrictions
2 record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

3 2. Except as provided in subd. 3., the department of justice may disclose
4 information that it receives under subd. 1. only to respond to a request under s.
5 165.63 or as part of a firearms restrictions record search under s. 175.35 (2g) (c) or
6 a background check under s. 175.60 (9g) (a).

7 3. The department of justice shall disclose any information that it receives
8 under subd. 1. to a law enforcement agency when the information is needed for law
9 enforcement purposes.

10 (b) Within one business day after a temporary restraining order is issued
11 under sub. (2t) or an injunction is issued, extended, or vacated under sub. (3), the
12 clerk of the circuit court shall send a copy of the temporary restraining order, of the
13 injunction, or of the order extending or vacating an injunction, to the sheriff or to
14 any other local law enforcement agency that is the central repository for injunctions
15 and that has jurisdiction over the petitioner's premises.

16 (c) No later than 24 hours after receiving the information under par. (b), the
17 sheriff or other appropriate local law enforcement agency under par. (b) shall enter
18 the information concerning a temporary restraining order issued under sub. (2t) or
19 concerning an injunction issued, extended, or vacated under sub. (3) into the
20 transaction information for management of enforcement system. The sheriff or
21 other appropriate local law enforcement agency shall also make available to other
22 law enforcement agencies, through a verification system, information on the
23 existence and status of any order or injunction issued under this section. The

1 information need not be maintained after the order or injunction is no longer in
2 effect.

3 (d) 1. The court may schedule a hearing to surrender firearms for any reason
4 relevant to the surrender of firearms.

5 2. If the respondent does not comply with an order issued at a hearing to
6 surrender firearms, or a law enforcement officer has probable cause to believe that
7 the respondent possesses a firearm, the law enforcement officer shall request a
8 search warrant to seize the firearms and may use information contained in the
9 petition to establish probable cause.

10 (6) PENALTY FOR FALSE SWEARING. Whoever files a petition under this section
11 knowing the information in the petition to be false is subject to the penalty for false
12 swearing under s. 946.32 (1).

13 (7) RETURN OF FIREARMS AND FORM. (a) A firearm surrendered under this
14 section may not be returned to the respondent until the respondent completes a
15 petition for the return of firearms under par. (c) and a judge or circuit court
16 commissioner determines all of the following:

17 1. If a temporary restraining order was issued, that the temporary restraining
18 order has expired and no injunction has been issued.

19 2. If an injunction was issued, that the injunction has been vacated or has
20 expired and not been extended.

21 3. That the person is not prohibited from possessing a firearm under any state
22 or federal law or by the order of any federal court or state court, other than an order
23 from which the judge or circuit court commissioner is competent to grant relief. The

1 judge or commissioner shall use the information provided under s. 165.63 to aid in
2 making the determination under this subdivision.

3 (b) If a respondent surrenders under this section a firearm that is owned by a
4 person other than the respondent, the person who owns the firearm may apply for
5 its return to the circuit court for the county in which the person to whom the
6 firearm was surrendered is located. The court shall order such notice as it
7 considers adequate to be given to all persons who have or may have an interest in
8 the firearm and shall hold a hearing to hear all claims to its true ownership. If the
9 right to possession is proved to the court's satisfaction, it shall order the firearm
10 returned. If the court returns a firearm under this paragraph, the court shall
11 inform the person to whom the firearm is returned of the requirements and
12 penalties under s. 941.2905.

13 (c) The director of state courts shall develop a petition for the return of
14 firearms form that is substantially the same as the form under s. 813.1285 (5) (b).

15 (8) NOTICE OF FULL FAITH AND CREDIT. A temporary restraining order issued
16 under sub. (2t) and an injunction issued under sub. (3) shall include a statement
17 that the order or injunction may be accorded full faith and credit in every civil or
18 criminal court of the United States, civil or criminal courts of any other state, and
19 Indian tribal courts to the extent that such courts may have personal jurisdiction
20 over nontribal members.

21 **SECTION 125.** 813.126 (1) of the statutes is amended to read:

22 813.126 (1) TIME LIMITS FOR DE NOVO HEARING. If a party seeks to have the
23 judge conduct a hearing de novo under s. 757.69 (8) of a determination, order, or

1 ruling entered by a court commissioner in an action under s. 813.12, 813.122,
2 813.123, 813.124, or 813.125, including a denial of a request for a temporary
3 restraining order, the motion requesting the hearing must be filed with the court
4 within 30 days after the circuit court commissioner issued the determination, order,
5 or ruling. The court shall hold the de novo hearing within 30 days after the motion
6 requesting the hearing is filed with the court unless the court finds good cause for
7 an extension. Any determination, order, or ruling entered by a court commissioner
8 in an action under s. 813.12, 813.122, 813.123, 813.124, or 813.125 remains in effect
9 until the judge in the de novo hearing issues his or her final determination, order, or
10 ruling.

11 **SECTION 126.** 813.127 of the statutes is amended to read:

12 **813.127 Combined actions; domestic abuse, child abuse, extreme risk**
13 **protection, and harassment.** A petitioner may combine in one action 2 or more
14 petitions under one or more of the provisions in ss. 813.12, 813.122, 813.124, and
15 813.125 if the respondent is the same person in each petition. In any such action,
16 there is only one fee applicable under s. 814.61 (1) (a). In any such action, the
17 hearings for different types of temporary restraining orders or injunctions may be
18 combined.

19 **SECTION 127.** 813.128 (2g) (b) of the statutes is amended to read:

20 **813.128 (2g) (b)** A foreign protection order or modification of the foreign
21 protection order that meets the requirements under this section has the same effect
22 as an order issued under s. 813.12, 813.122, 813.123, 813.124, or 813.125, except

1 that the foreign protection order or modification shall be enforced according to its
2 own terms.

3 **SECTION 128.** 941.29 (1m) (f) of the statutes is amended to read:

4 941.29 (1m) (f) The person is subject to an injunction issued under s. 813.12
5 or 813.122, a temporary restraining order or an injunction issued under s. 813.124,
6 or ~~under~~ a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
7 established by any federally recognized Wisconsin Indian tribe or band, except the
8 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that
9 he or she is subject to the requirements and penalties under this section and that
10 has been filed under s. 813.128 (3g).

11 **SECTION 9107. Nonstatutory provisions; Circuit Courts.**

12 (1) EXTREME RISK PROTECTION ORDERS; INTENT STATEMENT. The intent of s.
13 813.124 is to implement a state crisis intervention court proceeding in the form of
14 an extreme risk protection order program that is eligible for federal grants under 34
15 USC 10152 (a) (1) (I) (iv).”.

16 **19.** At the appropriate places, insert all of the following:

17 “**SECTION 129.** 20.455 (2) (gr) of the statutes, as affected by 2025 Wisconsin
18 Act (this act), is amended to read:

19 20.455 (2) (gr) ~~Handgun~~ Firearm purchaser record check; checks for licenses or
20 certifications to carry concealed weapons. All moneys received as fee payments
21 under ss. 175.35 (2i) (a), 175.49 (5m), and 175.60 (7) (c) and (d), (13), and (15) (b) 4.
22 a. and b. to provide services under ss. 165.28, 175.35, 175.49, and 175.60.

23 **SECTION 130.** 175.33 of the statutes is created to read:

175.33 Transfer of firearms. (1) In this section:

(a) “Family member” means a spouse, parent, grandparent, sibling, child, or grandchild. The relationship may be by blood, marriage, or adoption.

(b) “Firearm” includes the frame or receiver of a firearm.

(c) “Firearms dealer” has the meaning given in s. 175.35 (1) (ar).

(d) “Transfer” has the meaning given in s. 175.35 (1) (br).

(2) No person may transfer ownership of a firearm, or be transferred ownership of a firearm, unless one of the following applies:

(a) The transferor is a firearms dealer.

(b) The transferor makes the transfer to or through a firearms dealer and obtains a receipt under s. 175.35 (2j) (b).

(c) The transfer of ownership of the firearm is one of the transfers listed under s. 175.35 (2t).

(d) The transferor is transferring ownership of the firearm to a family member by gift, bequest, or inheritance, the transferee is not prohibited from possessing a firearm under s. 941.29 or federal law, and the transferee is at least 18 years of age.

(3) Any person who intentionally violates sub. (2) is guilty of a misdemeanor and shall be fined not less than \$500 nor more than \$10,000 and may be imprisoned for not more than 9 months. The person is also prohibited under s. 941.29 from possessing a firearm for a period of 2 years.

SECTION 131. 175.35 (title) of the statutes is amended to read:

175.35 (title) Purchase of ~~handguns~~ firearms.

1 **SECTION 132.** 175.35 (1) (at) of the statutes, as affected by 2025 Wisconsin Act
2 (this act), is amended to read:

3 175.35 (1) (at) “Firearms restrictions record search” means a search of
4 department of justice records to determine whether a person seeking to ~~purchase~~
5 receive the transfer of a handgun firearm is prohibited from possessing a firearm
6 under s. 941.29 or is included in the database under s. 165.64 (3). “Firearms
7 restrictions record search” includes a criminal history record search, a search to
8 determine whether a person is prohibited from possessing a firearm under s. 51.20
9 (13) (cv) 1., 2007 stats., a search in the national instant criminal background check
10 system to determine whether a person has been ordered not to possess a firearm
11 under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search
12 to determine whether the person is subject to an injunction under s. 813.12 or
13 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
14 established by any federally recognized Wisconsin Indian tribe or band, except the
15 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that
16 he or she is subject to the requirements and penalties under s. 941.29 and that has
17 been filed with the circuit court under s. 813.128 (3g), a search to determine
18 whether the person is subject to a temporary restraining order or injunction under
19 s. 813.124, and a search to determine whether the person is prohibited from
20 possessing a firearm under s. 813.123 (5m) or 813.125 (4m).

21 **SECTION 133.** 175.35 (1) (br) of the statutes is created to read:

22 175.35 (1) (br) “Transfer” includes to sell, assign, pledge, lease, loan, give
23 away, or otherwise dispose of.

1 **SECTION 134.** 175.35 (2) (intro.) of the statutes is renumbered 175.35 (2) (am)
2 and amended to read:

3 175.35 (2) (am) When a firearms dealer ~~sells~~ transfers a ~~handgun~~ firearm,
4 including the frame or receiver of a firearm, he or she may not transfer possession of
5 that ~~handgun~~ firearm to any other person until all of the ~~following have occurred:~~
6 requirements under par. (cm) have been met.

7 **SECTION 135.** 175.35 (2) (a), (b) and (c) of the statutes are renumbered 175.35
8 (2) (cm) 1., 2. and 3.

9 **SECTION 136.** 175.35 (2) (bm) of the statutes is created to read:

10 175.35 (2) (bm) When a person transfers a firearm, including the frame or
11 receiver of a firearm, through a firearms dealer, the transfer of possession of that
12 firearm may not be made until all of the requirements of par. (cm) have been met.

13 **SECTION 137.** 175.35 (2) (cm) (intro.) of the statutes is created to read:

14 175.35 (2) (cm) (intro.) All of the following must occur before a firearm may be
15 transferred under par. (am) or (bm):

16 **SECTION 138.** 175.35 (2) (d) of the statutes, as affected by 2025 Wisconsin Act
17 (this act), is renumbered 175.35 (2) (cm) 4.

18 **SECTION 139.** 175.35 (2g) (a) of the statutes is amended to read:

19 175.35 (2g) (a) The department of justice shall promulgate rules prescribing
20 procedures under sub. (2) (cm) 1. for a transferee to provide and a firearms dealer to
21 inspect identification containing a photograph of the transferee.

22 **SECTION 140.** 175.35 (2g) (b) 1. of the statutes is amended to read:

23 175.35 (2g) (b) 1. The department of justice shall promulgate rules

1 prescribing a notification form for use under sub. (2) (cm) 2. and 3. requiring the
2 transferee to provide his or her name, date of birth, gender, race and social security
3 number and other identification necessary to permit an accurate firearms
4 restrictions record search under par. (c) 3. and the required notification under par.
5 (c) 4. The department of justice shall make the forms available at locations
6 throughout the state.

7 **SECTION 141.** 175.35 (2g) (b) 2. of the statutes is amended to read:

8 175.35 **(2g)** (b) 2. The department of justice shall ensure that each notification
9 form under subd. 1. requires the transferee to indicate that he or she is not
10 ~~purchasing~~ receiving a transfer of the firearm with the purpose or intent to transfer
11 the firearm to a person who is prohibited from possessing a firearm under state or
12 federal law and that each notification form informs the transferee that making a
13 false statement with regard to this purpose or intent is a Class H felony.

14 **SECTION 142.** 175.35 (2g) (c) 4. c. of the statutes, as affected by 2025
15 Wisconsin Act (this act), is amended to read:

16 175.35 **(2g)** (c) 4. c. If the search indicates that it is unclear whether the
17 person is prohibited under state or federal law from possessing a firearm and the
18 department needs more time than provided under sub. (2) ~~(d)~~ (cm) 4. to make the
19 determination, the department shall make every reasonable effort to determine
20 whether the person is prohibited under state or federal law from possessing a
21 firearm and notify the firearms dealer of the results as soon as practicable but no
22 later than 5 working days after the search was requested.

23 **SECTION 143.** 175.35 (2i) of the statutes is renumbered 175.35 (2i) (a) and
24 amended to read:

1 175.35 (2i) (a) The department shall charge a firearms dealer a \$10 fee for
2 each firearms restrictions record search that the firearms dealer requests under
3 sub. (2) ~~(e)~~ (cm) 3.

4 (b) 1. The firearms dealer may collect the fee under par. (a) from the
5 transferee.

6 (c) The department may refuse to conduct firearms restrictions record
7 searches for any firearms dealer who fails to pay any fee under ~~this subsection~~ par.
8 (a) within 30 days after billing by the department.

9 **SECTION 144.** 175.35 (2i) (b) 2. of the statutes is created to read:

10 175.35 (2i) (b) 2. If the transfer is made under sub. (2) (bm), the firearms
11 dealer may collect from the transferor the fee under par. (a) and any additional
12 amount to cover any costs he or she incurs in processing the transfer.

13 **SECTION 145.** 175.35 (2j) of the statutes is renumbered 175.35 (2j) (a).

14 **SECTION 146.** 175.35 (2j) (b) of the statutes is created to read:

15 175.35 (2j) (b) If a person transfers a firearm through a firearms dealer under
16 sub. (2) (bm), or transfers a firearm to a firearms dealer, the firearms dealer shall
17 provide the person a written receipt documenting the dealer's participation in the
18 transfer.

19 **SECTION 147.** 175.35 (2k) (ar) 2. of the statutes is amended to read:

20 175.35 (2k) (ar) 2. Check each notification form received under sub. (2j) (a)
21 against the information recorded by the department regarding the corresponding
22 request for a firearms restrictions record search under sub. (2g). If the department
23 previously provided a unique approval number regarding the request and nothing

1 in the completed notification form indicates that the transferee is prohibited from
2 possessing a firearm under s. 941.29, the department shall destroy all records
3 regarding that firearms restrictions record search within 30 days after receiving
4 the notification form.

5 **SECTION 148.** 175.35 (2k) (c) 2. a. of the statutes is amended to read:

6 175.35 **(2k)** (c) 2. a. A statement that the Wisconsin law enforcement agency
7 is conducting an investigation of a crime in which a ~~handgun~~ firearm was used or
8 was attempted to be used or was unlawfully possessed.

9 **SECTION 149.** 175.35 (2k) (c) 2. b. of the statutes is amended to read:

10 175.35 **(2k)** (c) 2. b. A statement by a division commander or higher authority
11 within the Wisconsin law enforcement agency that he or she has a reasonable
12 suspicion that the person who is the subject of the information request has obtained
13 or is attempting to obtain a ~~handgun~~ firearm.

14 **SECTION 150.** 175.35 (2k) (g) of the statutes is amended to read:

15 175.35 **(2k)** (g) If a search conducted under sub. (2g) indicates that the
16 transferee is prohibited from possessing a firearm under s. 941.29, the attorney
17 general or his or her designee may disclose to a law enforcement agency that the
18 transferee has attempted to obtain a ~~handgun~~ firearm.

19 **SECTION 151.** 175.35 (2k) (h) of the statutes is amended to read:

20 175.35 **(2k)** (h) If a search conducted under sub. (2g) indicates a felony charge
21 without a recorded disposition and the attorney general or his or her designee has
22 reasonable grounds to believe the transferee may pose a danger to himself, herself
23 or another, the attorney general or his or her designee may disclose to a law

1 enforcement agency that the transferee has obtained or has attempted to obtain a
2 ~~handgun~~ firearm.

3 **SECTION 152.** 175.35 (2L) of the statutes is amended to read:

4 175.35 (2L) The department of justice shall promulgate rules providing for
5 the review of nonapprovals under sub. (2g) (c) 4. a. Any person who is denied the
6 right to ~~purchase~~ receive a transfer of a handgun firearm because the firearms
7 dealer received a nonapproval number under sub. (2g) (c) 4. a. may request a
8 firearms restrictions record search review under those rules. If the person
9 disagrees with the results of that review, the person may file an appeal under rules
10 promulgated by the department.

11 **SECTION 153.** 175.35 (2t) (a), (b) and (c) of the statutes are amended to read:

12 175.35 (2t) (a) Transfers of any ~~handgun~~ firearm classified as an antique by
13 regulations of the U.S. department of the treasury.

14 (b) Transfers of any ~~handgun~~ firearm between firearms dealers or between
15 wholesalers and dealers.

16 (c) Transfers of any ~~handgun~~ firearm to law enforcement or armed services
17 agencies.

18 **SECTION 154.** 175.35 (3) (b) 2. of the statutes is amended to read:

19 175.35 (3) (b) 2. A person who violates sub. (2e) by intentionally providing
20 false information regarding whether he or she is ~~purchasing~~ receiving a transfer of
21 the firearm with the purpose or intent to transfer the firearm to another who the
22 person knows or reasonably should know is prohibited from possessing a firearm

1 under state or federal law is guilty of a Class H felony. The penalty shall include a
2 fine that is not less than \$500.

3 **SECTION 155.** 175.355 of the statutes, as created by 2025 Wisconsin Act
4 (this act), is repealed.

5 **SECTION 156.** 175.60 (7) (d) of the statutes is amended to read:

6 175.60 (7) (d) A fee for a background check that is equal to the fee charged
7 under s. 175.35 (2i) (a).

8 **SECTION 157.** 175.60 (15) (b) 4. b. of the statutes is amended to read:

9 175.60 (15) (b) 4. b. A fee for a background check that is equal to the fee
10 charged under s. 175.35 (2i) (a).

11 **SECTION 158.** 938.341 of the statutes is amended to read:

12 **938.341 Delinquency adjudication; restriction on firearm possession.**

13 Whenever a court adjudicates a juvenile delinquent for an act that if committed by
14 an adult in this state would be a felony or for a violation under s. 175.33 (2), the
15 court shall inform the juvenile of the requirements and penalties under s. 941.29.

16 **SECTION 159.** 941.29 (1m) (dm), (dn) and (do) of the statutes are created to
17 read:

18 941.29 (1m) (dm) The person has been convicted of a misdemeanor under s.
19 175.33 (2), unless at least 2 years have passed since the conviction.

20 (dn) The person has been adjudicated delinquent for a violation under s.
21 175.33 (2), unless at least 2 years have passed since the adjudication.

22 (do) The person has been found not guilty of a misdemeanor under s. 175.33

(2) by reason of mental disease or defect, unless at least 2 years have passed since the finding.

SECTION 160. 971.17 (1g) of the statutes is amended to read:

971.17 (1g) NOTICE OF RESTRICTION ON FIREARM POSSESSION. If the defendant under sub. (1) is found not guilty of a felony, or of a violation under s. 175.33 (2), by reason of mental disease or defect, the court shall inform the defendant of the requirements and penalties under s. 941.29.

SECTION 161. 973.176 (1) of the statutes is amended to read:

973.176 (1) FIREARM POSSESSION. Whenever a court imposes a sentence or places a defendant on probation regarding a felony conviction or regarding a conviction for a misdemeanor under s. 175.33 (2), the court shall inform the defendant of the requirements and penalties applicable to him or her under s. 941.29 (1m) or (4m).

SECTION 9327. Initial applicability; Justice.

(1) TRANSFERS OF FIREARMS. The treatment of ss. 175.33 and 175.35 (1) (at) (by SECTION 132) and (br) and (2) (intro.), (a), (b), (bm), (c), (cm) (intro.), and (d), the renumbering of s. 175.35 (2j), and the creation of s. 175.35 (2j) (b) first apply to transfers that occur on the effective date of this subsection.

SECTION 9427. Effective dates; Justice.

(1) TRANSFERS OF FIREARMS. The treatment of ss. 175.33, 175.35 (title), (1) (at) (by SECTION 132) and (br), (2) (intro.), (a), (bm), (c), and (cm) (intro.), (2g) (a), (b) 1. and 2., and (c) 4. c. (by SECTION 142), (2k) (ar) 2., (c) 2. a. and b., (g), and (h), (2L), (2t) (a), (b), and (c), and (3) (b) 2., 176.60 (7) (d) and (15) (b) 4. b., 938.341, 941.29

(1m) (dm), (dn), and (do), 971.17 (1g), and 973.176 (1), the repeal of s. 175.355, the renumbering of s. 175.35 (2) (d) and (2j), the renumbering and amendment of s. 175.35 (2i), the amendment of s. 20.455 (2) (gr), and the creation of s. 175.35 (2i) (b) 2. and (2j) (b) and SECTION 9327 (1) of this act take effect on the first day of the 7th month beginning after publication.”.

20. At the appropriate places, insert all of the following:

“**SECTION 162.** 947.01 (1) of the statutes is renumbered 947.01 (1) (intro.) and amended to read:

947.01 (1) (intro.) Whoever, in a public or private place, engages in ~~violent, abusive,~~ any of the following is guilty of a Class B misdemeanor:

(b) ~~Abusive,~~ indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance ~~is guilty of a Class B misdemeanor.~~

SECTION 163. 947.01 (1) (a) of the statutes is created to read:

947.01 (1) (a) Violent behavior that involves the use or attempted use of physical force or the use of or threat to use a dangerous weapon.

SECTION 164. 968.075 (1) (a) (intro.) of the statutes is amended to read:

968.075 (1) (a) (intro.) “Domestic abuse” means any of the following engaged in by an adult person against ~~his or her spouse or former spouse, against an adult with whom the person resides or formerly resided or against an adult with whom the person has a child in common~~ a relative of the adult person:

SECTION 165. 968.075 (1) (f) of the statutes is created to read:

968.075 (1) (f) “Relative” means any of the following:

1 1. A spouse or former spouse.

2 2. A parent or stepparent.

3 3. A legal guardian.

4 4. A person with whom the adult person has a child in common.

5 5. A person with whom the adult person is cohabiting or has cohabited as a
6 spouse, a parent, or a legal guardian.

7 6. A person who is similarly situated to the adult person as a spouse, a parent,
8 or a legal guardian.

9 7. An adult who is residing or has resided with the adult person if subd. 1., 2.,
10 3., 4., 5., or 6. does not apply.”.

11 **21.** At the appropriate places, insert all of the following:

12 **“SECTION 9227. Fiscal changes; Justice.**

13 (1) STATE CRIME LABORATORIES; DNA ANALYSTS. In the schedule under s.
14 20.005 (3) for the appropriation to the department of justice under s. 20.455 (2)
15 (Lm), the dollar amount for fiscal year 2025-26 is increased by \$230,700 to increase
16 the authorized FTE positions for the department by 3.0 PR DNA analyst positions
17 and 1.0 forensic scientist supervisor position to assist in the operation of the state
18 crime laboratories. In the schedule under s. 20.005 (3) for the appropriation to the
19 department of justice under s. 20.455 (2) (Lm), the dollar amount for fiscal year
20 2026-27 is increased by \$294,200 to provide funding for the positions authorized
21 under this subsection.

22 (2) STATE CRIME LABORATORIES; CONTROLLED SUBSTANCE ANALYST. In the
23 schedule under s. 20.005 (3) for the appropriation to the department of justice

1 under s. 20.455 (2) (kd), the dollar amount for fiscal year 2025-26 is increased by
2 \$54,300 to increase the authorized FTE positions for the department by 1.0 PR
3 analyst position to assist the state crime laboratories with controlled substance
4 identification. In the schedule under s. 20.005 (3) for the appropriation to the
5 department of justice under s. 20.455 (2) (kd), the dollar amount for fiscal year
6 2026-27 is increased by \$69,100 to provide funding for the position authorized
7 under this subsection.

8 (3) STATE CRIME LABORATORIES; CRIME SCENE RESPONSE. In the schedule
9 under s. 20.005 (3) for the appropriation to the department of justice under s.
10 20.455 (2) (kd), the dollar amount for fiscal year 2025-26 is increased by \$67,700 to
11 increase the authorized FTE positions for the department by 1.0 PR crime scene
12 response specialist to assist the state crime laboratories with crime scene response.
13 In the schedule under s. 20.005 (3) for the appropriation to the department of
14 justice under s. 20.455 (2) (kd), the dollar amount for fiscal year 2026-27 is
15 increased by \$86,900 to provide funding for the position authorized under this
16 subsection.”.

17 **22.** At the appropriate places, insert all of the following:

18 **“SECTION 9127. Nonstatutory provisions; Justice.**

19 (1) POSITION AUTHORITY; LAW ENFORCEMENT TRAINING FUND. On the effective
20 date of this subsection, the authorized FTE positions for the department of justice
21 are increased by 0.01 PR position, to be funded from the appropriation under s.
22 20.455 (2) (ja), to correct a mismatch in the state operations appropriation for the
23 law enforcement training fund.”.

1 **23.** At the appropriate places, insert all of the following:

2 “**SECTION 166.** 165.85 (5x) of the statutes is amended to read:

3 165.85 (**5x**) OFFICER TRAINING REIMBURSEMENT. Notwithstanding sub. (5), in
4 each fiscal year, the department of justice shall determine the amount of additional
5 costs, including but not limited to tuition, lodging, travel, meals, salaries and fringe
6 benefits, to each political subdivision as a result of the enactment of 1993 Wisconsin
7 Act 460. In each fiscal year, the department shall pay each political subdivision the
8 amount determined under this subsection for that political subdivision from the
9 ~~appropriation~~ appropriations under s. 20.455 (2) (am) and (q), subject to the
10 limitations under s. 20.455 (2) (am).”.

11 **24.** At the appropriate places, insert all of the following:

12 “**SECTION 9127. Nonstatutory provisions; Justice.**

13 (1) STATE FIRE MARSHAL SAFETY EQUIPMENT. Notwithstanding s. 16.42 (1) (e),
14 in submitting information under s. 16.42 for purposes of the 2027-29 biennial
15 budget bill, the department of justice shall submit information concerning the
16 appropriation under s. 20.455 (2) (a) as though the total amount appropriated
17 under s. 20.455 (2) (a) for the 2026-27 fiscal year was \$185,000 less than the total
18 amount that was actually appropriated under s. 20.455 (2) (a) for the 2026-27 fiscal
19 year.

20 **SECTION 9227. Fiscal changes; Justice.**

21 (1) STATE FIRE MARSHAL SAFETY EQUIPMENT. In the schedule under s. 20.005
22 (3) for the appropriation to the department of justice under s. 20.455 (2) (a), the
23 dollar amount for fiscal year 2025-26 is increased by \$185,000 for the purchase of

1 arson inspection safety equipment for the office of the state fire marshal. In the
2 schedule under s. 20.005 (3) for the appropriation to the department of justice
3 under s. 20.455 (2) (a), the dollar amount for fiscal year 2026-27 is increased by
4 \$185,000 for the purchase of arson inspection safety equipment for the office of the
5 state fire marshal.”.

6 **25.** At the appropriate places, insert all of the following:

7 **“SECTION 9227. Fiscal changes; Justice.**

8 (1) DIVISION OF CRIMINAL INVESTIGATIONS TRAINING. In the schedule under s.
9 20.005 (3) for the appropriation to the department of justice under s. 20.455 (2) (a),
10 the dollar amount for fiscal year 2025-26 is increased by \$150,000 to fund training
11 costs for investigators. In the schedule under s. 20.005 (3) for the appropriation to
12 the department of justice under s. 20.455 (2) (b), the dollar amount for fiscal year
13 2026-27 is increased by by \$150,000 to fund training costs for investigators.”.

14 **26.** At the appropriate places, insert all of the following:

15 **“SECTION 9227. Fiscal changes; Justice.**

16 (1) TRAINING AND STANDARDS STAFFING. In the schedule under s. 20.005 (3)
17 for the appropriation to the department of justice under s. 20.455 (2) (ja), the dollar
18 amount for fiscal year 2025-26 is increased by \$67,700 to increase the authorized
19 FTE positions for the department by 1.0 PR position for the training and standards
20 bureau to assist with virtual law enforcement training. In the schedule under s.
21 20.005 (3) for the appropriation to the department of justice under s. 20.455 (2) (ja),
22 the dollar amount for fiscal year 2026-27 is increased by \$86,900 to provide funding
23 for the position authorized under this subsection.”.

1 **27.** At the appropriate places, insert all of the following:

2 “**SECTION 167.** 978.045 (2) of the statutes is amended to read:

3 978.045 (2) If the department of administration approves the appointment of
4 a special prosecutor under sub. (1r), the court shall fix the amount of compensation
5 for the attorney appointed according to the rates specified in s. 977.08 (4m) ~~(b)~~ for
6 the date on which the approval was made. The department of administration shall
7 pay the compensation ordered by the court from the appropriation under s. 20.475
8 (1) (d). The court, district attorney, and the special prosecutor shall provide any
9 information regarding a payment of compensation that the department requests.
10 Any payment under this subsection earns interest on the balance due from the
11 121st day after receipt of a properly completed invoice or receipt and acceptance of
12 the property or service under the order or contract, whichever is later, at the rate
13 specified in s. 71.82 (1) (a) compounded monthly.

14 **SECTION 9310. Initial applicability; District Attorneys.**

15 (1) COMPENSATION FOR SPECIAL PROSECUTORS. The treatment of s. 978.045 (2)
16 first applies to appointments approved on the effective date of this subsection.”.

17 **28.** At the appropriate places, insert all of the following:

18 “**SECTION 168.** 165.25 (11) of the statutes is repealed.”.

19 **29.** At the appropriate places, insert all of the following:

20 “**SECTION 169.** 165.08 (1) of the statutes is amended to read:

21 165.08 (1) Any civil action prosecuted by the department by direction of any
22 officer, department, board, or commission, ~~or any~~ shall be compromised or
23 discontinued when so directed by such officer, department, board, or commission.

1 Any civil action prosecuted by the department on the initiative of the attorney
2 general, or at the request of any individual may be compromised or discontinued
3 with the approval of ~~an intervenor under s. 803.09 (2m) or, if there is no intervenor,~~
4 ~~by submission of a proposed plan to the joint committee on finance for the approval~~
5 ~~of the committee. The compromise or discontinuance may occur only if the joint~~
6 ~~committee on finance approves the proposed plan. No proposed plan may be~~
7 ~~submitted to the joint committee on finance if the plan concedes the~~
8 ~~unconstitutionality or other invalidity of a statute, facially or as applied, or~~
9 ~~concedes that a statute violates or is preempted by federal law, without the approval~~
10 ~~of the joint committee on legislative organization~~ the governor.

11 **SECTION 170.** 165.12 (2) (a) of the statutes is repealed.

12 **SECTION 171.** 165.25 (6) (a) 1. of the statutes is amended to read:

13 165.25 **(6)** (a) 1. At the request of the head of any department of state
14 government, the attorney general may appear for and defend any state department,
15 or any state officer, employee, or agent of the department in any civil action or other
16 matter brought before a court or an administrative agency which is brought against
17 the state department, or officer, employee, or agent for or on account of any act
18 growing out of or committed in the lawful course of an officer's, employee's, or
19 agent's duties. Witness fees or other expenses determined by the attorney general
20 to be reasonable and necessary to the defense in the action or proceeding shall be
21 paid as provided for in s. 885.07. The attorney general may compromise and settle
22 the action as the attorney general determines to be in the best interest of the state
23 ~~except that, if the action is for injunctive relief or there is a proposed consent decree,~~

~~the attorney general may not compromise or settle the action without the approval of an intervenor under s. 803.09 (2m) or, if there is no intervenor, without first submitting a proposed plan to the joint committee on finance. If, within 14 working days after the plan is submitted, the cochairpersons of the committee notify the attorney general that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the attorney general may compromise or settle the action only with the approval of the committee. The attorney general may not submit a proposed plan to the joint committee on finance under this subdivision in which the plan concedes the unconstitutionality or other invalidity of a statute, facially or as applied, or concedes that a statute violates or is preempted by federal law, without the approval of the joint committee on legislative organization.”.~~

30. At the appropriate places, insert all of the following:

“SECTION 172. 20.455 (2) (gb) of the statutes is amended to read:

20.455 (2) (gb) *Gifts and grants.* ~~The amounts in the schedule to carry out the purposes for which gifts and grants are made and received.~~ All moneys received from gifts and grants, other than moneys received for and credited to another appropriation account under this subsection, ~~shall be credited to this appropriation account~~ to carry out the purposes for which made and received.

SECTION 173. 20.455 (3) (g) of the statutes is amended to read:

20.455 (3) (g) *Gifts, grants and proceeds.* ~~The amounts in the schedule to carry out the purposes for which gifts and grants are made and collected.~~ All moneys received from gifts and grants and all proceeds from services, conferences, and sales of publications and promotional materials to carry out the purposes for

1 which made or collected, except as provided in sub. (2) (gm) and (gp) and to transfer
2 to s. 20.505 (1) (kg), at the discretion of the attorney general, an amount not to
3 exceed \$98,300 annually, ~~shall be credited to this appropriation account.~~

4 **SECTION 174.** 165.10 of the statutes is amended to read:

5 **165.10 Deposit Limits on expenditure of discretionary settlement**
6 **funds.** The Notwithstanding s. 20.455 (3) (g), before the attorney general shall
7 deposit all may expend settlement funds into the general fund under s. 20.455 (3)
8 (g) that are not committed under the terms of the settlement, the attorney general
9 shall submit to the joint committee on finance a proposed plan for the expenditure
10 of the funds. If the cochairpersons of the committee do not notify the attorney
11 general within 14 working days after the submittal that the committee has
12 scheduled a meeting for the purpose of reviewing the proposed plan, the attorney
13 general may expend the funds to implement the proposed plan. If, within 14
14 working days after the submittal, the cochairpersons of the committee notify the
15 attorney general that the committee has scheduled a meeting for the purpose of
16 reviewing the proposed plan, the attorney general may expend the funds only to
17 implement the plan as approved by the committee.”.

18 **31.** At the appropriate places, insert all of the following:

19 “**SECTION 175.** 757.07 (1) (e) 8. of the statutes is created to read:

20 757.07 (1) (e) 8. A district judge or magistrate judge for a U.S. district court in
21 the state of Wisconsin or a bankruptcy judge for a U.S. bankruptcy court in the
22 state of Wisconsin.”.

23 **32.** At the appropriate places, insert all of the following:

1 **“SECTION 176.** 20.455 (1) (hm) of the statutes is amended to read:

2 20.455 (1) (hm) *Restitution.* All moneys received by the department to provide
3 restitution to victims when ordered by the court as the result of prosecutions under
4 s. 49.49 and chs. 100, 133, 281 to 285 and 289 to 299 ~~and,~~ under a federal antitrust
5 law for the purpose of providing restitution to victims of the violation when ordered
6 by the court, or under any other court order or settlement agreement for the
7 purpose of providing restitution to victims.”.

8 **33.** At the appropriate places, insert all of the following:

9 **“SECTION 9127. Nonstatutory provisions; Justice.**

10 (1) ALTERNATIVES TO INCARCERATION GRANT PROGRAM POSITION TRANSFERS TO
11 SUPREME COURT. On January 1, 2027, 3.0 FTE GPR positions in the department of
12 justice, funded from the appropriation under s. 20.455 (2) (a), that administer the
13 alternative to incarceration grant program and the incumbent employees holding
14 those positions are transferred to the supreme court. Employees transferred under
15 this subsection have all the rights and the same status under ch. 230 under the
16 supreme court that they enjoyed in the department of justice immediately before the
17 transfer. Notwithstanding s. 230.28 (4), no employee transferred under this
18 subsection who has attained permanent status in class is required to serve a
19 probationary period.”.

20 **34.** At the appropriate places, insert all of the following:

21 **“SECTION 177.** 66.0501 (1) of the statutes is renumbered 66.0501 (1) (a) and
22 amended to read:

23 66.0501 (1) (a) ~~No~~ Except as provided in par. (b), no person may be appointed

1 deputy sheriff of any county or police officer for any city, village, or town unless that
2 person is a citizen of the United States. This section does not apply to common
3 carriers or to a deputy sheriff not required to take an oath of office.

4 **SECTION 178.** 66.0501 (1) (b) of the statutes is created to read:

5 66.0501 (1) (b) The sheriff of a county or the appointing authority of a local
6 law enforcement agency that provides police service to a city, village, or town may
7 elect to authorize the appointment of noncitizens who are in receipt of valid
8 employment authorization from the federal department of homeland security as
9 deputy sheriffs for that county or as police officers for that city, village, or town.

10 **SECTION 179.** 165.85 (4) (a) 1m. of the statutes is created to read:

11 165.85 (4) (a) 1m. The board may not create criteria for participation in the
12 preparatory training program under subd. 1. that would prevent a person from
13 participation if the person is in receipt of a valid employment authorization from
14 the federal department of homeland security.”.

15 (END)