



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1473/P3
CMH:emw&wlj

DOA:.....Schmidt, BB0311 - Voluntary opt-out of ability to purchase a firearm

FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

JUSTICE

Self-assigned firearm exclusion

This bill requires DOJ to allow individuals to prohibit themselves from purchasing a firearm. Under the bill, DOJ must maintain a database of individuals who voluntarily prohibit themselves from purchasing a firearm. An individual may request inclusion in the database by submitting a request to DOJ that indicates the length of the prohibition they are requesting: a one-year, irrevocable prohibition; a five-year prohibition, the first year being irrevocable; or a 20-year prohibition, the first year being irrevocable. During a revocable period, an individual may remove the prohibition by submitting to DOJ a request for removal, and DOJ must remove the individual from the list after 48 hours lapses since DOJ received the request. The bill also requires DOJ, when responding to a request for a background check from a licensed firearms dealer regarding an individual who is in the database, to indicate that the individual is prohibited from purchasing a firearm.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 165.64 of the statutes is created to read:

165.64 Self-assigned firearm exclusion. (1) In this section, “department” means the department of justice.

(2) The department shall develop forms for individuals to submit to the department to request, or to renew a request, that they be prohibited from

BILL**SECTION 1**

purchasing a firearm. The forms shall request an emergency contact person and shall allow the individual to choose the term of the prohibition as follows:

- (a) A one-year, irrevocable term.
- (b) A 5-year term, the first year being irrevocable.
- (c) A 20-year term, the first year being irrevocable.

(3) If an individual submits a form requesting that they be prohibited from purchasing a firearm, the department shall enter the individual's identifying information into a database the department maintains and shall notify that individual's emergency contact person that the individual has submitted a form.

(4) (a) Subject to par. (b), the department shall remove the individual's identifying information from the database under sub. (3) if any of the following occurs:

1. After the term under sub. (2) expires, the individual submits a form designed by the department requesting that their identifying information be removed. A term that has expired and has not been renewed continues until revoked under this subdivision and the identifying information is removed.

2. Before the term under sub. (2) expires but after the request becomes revocable under sub. (2) (b) or (c), the individual submits a form designed by the department requesting that their identifying information be removed.

(b) The department shall notify the individual's emergency contact person that the department has received a request submitted under par. (a) and may not remove the individual's identifying information from the database until at least 48 hours have elapsed since the department received the request.

BILL**SECTION 1**

(5) The department may disclose an individual's identifying information included in the database under sub. (3) only as part of a firearms restrictions record search under s. 175.35 (2g) (c), as part of a search under s. 175.355 (2), or to the individual who is the subject of the information or the individual's emergency contact person.

SECTION 2. 175.35 (2g) (c) 4. a. and b. of the statutes are amended to read:

175.35 (2g) (c) 4. a. If the search indicates that the transferee is prohibited from possessing a firearm under s. 941.29 or is included in the database under s. 165.64 (3), the department shall provide the firearms dealer with a unique nonapproval number. The department may not disclose to the firearms dealer the reason the transferee is prohibited from possessing a firearm under s. 941.29.

b. If the search indicates that the transferee is not prohibited from possessing a firearm under s. 941.29 and is not included in the database under s. 165.64 (3), the department shall provide the firearms dealer with a unique approval number.

SECTION 3. 175.355 of the statutes is created to read:

175.355 Search self-assigned firearm exclusion database for purchase of firearms. (1) In this section:

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

(b) "Handgun" has the meaning given in s. 175.35 (1) (b).

(2) When a firearms dealer sells a firearm that is not a handgun, the firearms dealer shall request the department of justice to search the database under s. 165.64 (3) and may not transfer a firearm to a person who is included in the database under s. 165.64 (3).

SECTION 9351. Initial applicability; Other.

BILL

(1) SELF-ASSIGNED FIREARM EXCLUSION. The treatment of s. 175.35 (1) (at) and (2g) (c) 4. a. and b. and the creation of s. 175.355 first apply to transfers of firearms on the effective date of this subsection.

(END)