



2021 ASSEMBLY BILL 1014

February 16, 2022 - Introduced by Representatives S. RODRIGUEZ, ANDRACA, GOYKE, BILLINGS, BROSTOFF, CONLEY, CONSIDINE, DRAKE, EMERSON, HEBL, HESSELBEIN, HONG, B. MEYERS, OHNSTAD, POPE, SHELTON, SINICKI, SPREITZER, STUBBS, SUBECK, VINING and CABRERA, cosponsored by Senators AGARD, ROYS, CARPENTER, JOHNSON, LARSON and RINGHAND. Referred to Committee on Judiciary.

- 1 **AN ACT** *to create* 969.15 of the statutes; **relating to:** court orders that prohibit
2 a person from possessing a firearm under federal law.

Analysis by the Legislative Reference Bureau

Domestic violence protection orders

Under federal law, a person is prohibited from possessing a firearm if the person is subject to a court order that restrains the person from harassing, stalking, or threatening an intimate partner or the partner's child and that contains a finding that the person represents a credible threat to the safety of the partner or child or an explicit term that prohibits the person from using, attempting to use, or threatening to use physical force against the partner or child.

Under this bill, if a person is released on bail or bond and the court issues such an order, the clerk of court must send a copy of the order to the appropriate sheriff within one business day of the person's release. The sheriff must then enter the court order into the information system so that law enforcement has access to the order similar to how law enforcement has access to other orders for domestic violence, harassment, or child abuse that prohibit a person from possessing a firearm.

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

- 3 **SECTION 1.** 969.15 of the statutes is created to read:

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SECTION 1

1 **969.15 Enforcement assistance for court orders that render persons**
 2 **ineligible to possess a firearm under federal law.** If a person who is released
 3 on bail or bond under this chapter is subject to a court order described in 18 USC 922
 4 (g) (8), all of the following shall occur:

5 (1) Within one business day of the person's release, the clerk shall send a copy
 6 of the court order to the sheriff with jurisdiction over the person's residence.

7 (2) No later than 24 hours after receiving the copy of the court order under sub.
 8 (1), the sheriff shall enter the court order, including modifying or cancelling a
 9 previous court order per the current court order, into the transaction information for
 10 management of enforcement system. The sheriff shall ensure that the information
 11 on the existence and status of any court order under this section is available to other
 12 law enforcement agencies through a verification system. The information does not
 13 need to be maintained after the order is no longer in effect.

14 (3) A law enforcement agency or a clerk may use electronic transmission to
 15 facilitate the exchange of information under this section. Any person who uses
 16 electronic transmission shall ensure that the electronic transmission does not allow
 17 unauthorized disclosure of the information transmitted.

18 **SECTION 2. Initial applicability.**

19 (1) DOMESTIC VIOLENCE PROTECTION ORDERS. The treatment of s. 969.15 first
 20 applies to releases that occur on the effective date of this subsection.

21 (END)