



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4334/1
CMH:amn

2021 ASSEMBLY BILL 855

January 18, 2022 - Introduced by Representatives CONLEY, ANDRACA, SUBECK, BILLINGS, EMERSON, HEBL, HESSELBEIN, NEUBAUER, SHELTON, SINICKI, SNODGRASS and STUBBS, cosponsored by Senators ROYS and JOHNSON. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to create* 941.20 (1) (am) of the statutes; **relating to:** leaving a firearm
2 in an unlocked vehicle and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law criminalizes certain actions that endanger safety by using firearms or other weapons. For example, under current law, it is a Class A misdemeanor to endanger another's safety by negligently operating or handling a dangerous weapon or to carry a firearm while under the influence of an intoxicant. This bill adds that it is a Class A misdemeanor for a person to store or leave an operable firearm in an unlocked stationary vehicle if the person is not in or in proximity to the vehicle. The bill prohibits arresting or prosecuting a person for the violation created under this bill if the violation is discovered when the person reports that a firearm was stolen from an unlocked vehicle.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

3 **SECTION 1.** 941.20 (1) (am) of the statutes is created to read:
4 941.20 (1) (am) 1. Stores or leaves a firearm in a stationary vehicle unless any
5 of the following applies:

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1 a. The person is in the vehicle.

2 b. The person is in such proximity to the vehicle that he or she could retrieve
3 the firearm as easily or quickly as if carried on his or her body.

4 c. The vehicle is securely locked or the firearm is in a securely locked location
5 or compartment of the vehicle.

6 d. The firearm is rendered inoperable by removal of an essential component of
7 the firing mechanism.

8 2. A person may not be arrested or prosecuted for a violation of subd. 1. that
9 is discovered because the person reports that a firearm was stolen from a vehicle, or
10 a location or compartment of a vehicle, that was not securely locked.

11 (END)