



## 2015 SENATE BILL 264

September 21, 2015 – Introduced by Senators HARRIS DODD, RISSER, RINGHAND, MILLER, C. LARSON and CARPENTER, cosponsored by Representatives C. TAYLOR, SINICKI, WACHS, SARGENT, ZAMARRIPA, STUCK, SPREITZER, HEBL, GOYKE, SUBECK, BROSTOFF, BERCEAU, OHNSTAD, HESSELBEIN, POPE, JOHNSON, BARNES, BOWEN, HINTZ, RIEMER, YOUNG and KESSLER. Referred to Committee on Judiciary and Public Safety.

1     **AN ACT to amend** 175.35 (title), 175.35 (2) (d) and 175.35 (2g) (c) 4. c. of the  
2             statutes; **relating to:** waiting period for purchase of handguns.

---

*Analysis by the Legislative Reference Bureau*

2015 Wisconsin Act 22 eliminated a provision that prohibited a federally licensed firearms dealer from transferring a handgun to a purchaser until 48 hours had passed since the firearms dealer requested the Department of Justice (DOJ) to perform a background check on the prospective purchaser. This bill restores the 48-hour waiting period so that a firearms dealer must wait 48 hours after requesting a background check from DOJ before the dealer may transfer the handgun to the purchaser.

---

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

3             **SECTION 1.** 175.35 (title) of the statutes, as affected by 2015 Wisconsin Act 22,  
4             is amended to read:

5             **175.35 (title) Purchase Waiting period for the purchase of handguns.**

6             **SECTION 2.** 175.35 (2) (d) of the statutes, as affected by 2015 Wisconsin Act 22,  
7             is amended to read:

**SENATE BILL 264**

**SECTION 2**

1 175.35 (2) (d) The Forty-eight hours have elapsed from the time that the  
2 firearms dealer has received an approval a confirmation number regarding the  
3 firearms restrictions record search under sub. (2g) (c) from the department of justice  
4 and the firearms dealer has not been notified that the person is prohibited under  
5 state or federal law from possessing a firearm or that the department needs an  
6 extension under sub. (2g) (c) 4. c.

7 **SECTION 3.** 175.35 (2g) (c) 4. c. of the statutes, as affected by 2015 Wisconsin  
8 Act 22, is amended to read:

9 175.35 (2g) (c) 4. c. If the search indicates that it is unclear whether the person  
10 is prohibited under state or federal law from possessing a firearm and the  
11 department needs more time than provided under sub. (2) (d) to make the  
12 determination, the department shall make every reasonable effort to determine  
13 whether the person is prohibited under state or federal law from possessing a firearm  
14 and notify the firearms dealer of the results as soon as practicable but no later than  
15 5 working days after the search was requested.

**SECTION 4. Initial applicability.**

17 (1) This act first applies to sales that occur on the effective date of this  
18 subsection.

19 (END)