



## Legislation Text

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090838  
Substitute 2

ALD. DONOVAN and HAMILTON

Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to pursue introduction and passage of state legislation related to enforcement of laws regulating the illegal transfer and possession of firearms, requiring reporting of lost and stolen firearms, and prohibiting felons from approaching within 1,000 feet of retail firearms establishments.

This resolution directs the Intergovernmental Relations Division-Department of Administration to pursue development, introduction and passage of legislation by the Wisconsin Legislature related to enforcing laws regulating the illegal transfer and possession of firearms, requiring reporting of lost and stolen firearms, and prohibiting felons from approaching within 1,000 feet of retail firearms establishments.

The legislation sought would accomplish the following:

Provide felony penalties for purchasing or securing a firearm for the purpose of transferring it to a felon or to any other person prohibited from purchasing or possessing a firearm under state or federal law.

Require that all firearm transfers of handguns to persons other than immediate family members be processed through federal firearm licensees (FFLs) for the purpose of conducting appropriate background checks.

Prohibit felons from approaching within 1,000 feet of a retail establishment that has as its substantial portion of its retail business, the sale or resale of firearms, firearm components, ammunition, or loading and reloading supplies, or from approaching within 1,000 feet of a commercial firing range or a gun show.

Prohibit felons from possessing firearm ammunition and increase penalties for persons found guilty of possessing a stolen firearm.

Require prompt reporting of lost or stolen firearms to appropriate law enforcement agencies.

Provide felony penalties for a second or subsequent offense of carrying a concealed weapon and prohibit the retail purchase of firearms by persons convicted of a 2 or more concealed carrying offenses whether or not the conviction is punished as a felony.

The resolution further directs the Intergovernmental Relations Division - Department of Administration to explore, and to report back to the Common Council, the feasibility of developing and pursuing passage of legislation addressing the following:

The development of a rigid permitting system for carrying concealed firearms that includes increased penalties for unpermitted carrying.

Establishing minimum mandatory penalties in addition to maximum penalties for violation of state firearm laws and rules.

Establishing an additional fee or increased sales tax for retail purchase of a firearm and committing a portion of the proceeds of the fee or tax to firearm violence prevention.

Whereas, The epidemic of firearm violence continues to produce tragic injuries and deaths affecting Milwaukee families, neighborhoods and the health and safety of the larger community; and

Whereas, Unlawful possession and carrying of firearms is often the result of “straw purchases” and other intentional transfers of firearms to persons who are not legally entitled to possess or carry firearms due to prior criminal conviction or other prohibited status; and

Whereas, 2009 Assembly Bill 373 has been introduced in the Wisconsin Assembly providing felony penalties for false declarations by a firearm purchaser that the purchase is not made for the purpose of transferring the firearm to a person who is ineligible to purchase or possess a firearm: and

Whereas, Recent investigations conducted by law enforcement have found that felons with easy access to firearms retail establishments acquire firearms unlawfully and have been identified practicing shooting in at least one retail establishment firearm range; and

Whereas, Passage of state laws providing minimum mandatory sentences for violation of firearm regulations may be a deterrent to the illegal possession and use of firearms; and

Whereas, Section 66.0409, Wis. Stats., presently limits the ability of the City of Milwaukee to address unique conditions of firearm violence through ordinances that respond to the criminal possession and use of firearms; and

Whereas, Additional legal tools to address the acquisition and use of firearms by felons and other persons prohibited from using or possessing firearms will contribute to a safer, healthier and more secure community; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division - Department of Administration is directed to seek introduction and passage of the following state legislation relating to illegal possession and carrying of firearms:

Legislation such as 2009 Wisconsin Assembly Bill 373, providing felony penalties for acquiring a firearm, by straw purchase or otherwise, with the intent to transfer it to a person known or believed to be prohibited under state or federal law from possessing a firearm due to criminal history or other legal impediment.

Legislation prohibiting any person convicted of a felony, or authorizing a municipality from prohibiting any person convicted of a felony, from approaching within 1,000 feet of any retail establishment which, as a substantial portion of its business, engages in the sale or resale of firearms, firearm components, ammunition or reloading supplies, or within 1,000 feet of a

commercial shooting range or gun show.

Legislation providing felony penalties for conviction of a second or subsequent offense of carrying a concealed weapon, and prohibiting persons with 2 or more convictions for carrying a concealed weapon from acquiring a firearm whether or not the convictions were for a misdemeanor.

Legislation requiring that the owners of firearms promptly report the loss or theft of any firearm to law enforcement authorities.

Legislation requiring that the transfer of a handgun, other than to an immediate family member, be processed through a federal firearms licensee (FFL) for the purpose of assuring an appropriate background check.

Legislation extending penalties for felons in possession to other categories of persons prohibited by federal laws from purchasing or possessing a firearm or firearm ammunition.

; and, be it

Further Resolved, That the Division of Intergovernmental Relations - Department of Administration explore and report to the Common Council about the development and feasibility of legislation addressing the following:

Amending or modifying the provisions of s. 66.0409, Wis. Stats., to authorize a municipality to regulate the sale, possession or use of firearms by persons prohibited from possession and use of firearms under state or federal law in a manner more stringent than provided in state law.

Establishing a rigid permitting system for carrying a concealed firearm and providing increased penalties for unpermitted carrying.

Establishing a fee or increased sales tax for the retail sale of firearms and committing a portion of the proceeds to firearm violence prevention activities.

; and, be it

Further Resolved, That the Intergovernmental Relations Division - Department of Administration is directed to provide copies of this resolution to the Governor and Attorney General of Wisconsin and to all members of the State Legislature who represent constituents in the Milwaukee region.

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RLW  
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