



# WISCONSIN LEGISLATURE

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**FOR IMMEDIATE RELEASE**  
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## **Legislators, Attorney General Urge Action for a “Gun Safe Summer”** **Gun Safety Provisions Removed from State Budget** **Proposed During Gun Violence Awareness Month**

MADISON, WI – Gun sales are at an all-time high, guns are in more places than ever before, and gun violence typically spikes during the hot summer months. To help ensure the safety of every Wisconsin community, Democratic lawmakers and Attorney General Kaul are calling for public hearings on three [bills concerning safety provisions removed from Governor Evers’s budget](#) by the Republican-led Joint Finance Committee. The bills being circulated for co-sponsorship today include:

- LRB 0110/1: Requiring background checks on every gun sale
- LRB 2727/1: Establishing an Extreme Risk Protection Order (ERPO)
- LRB 3503/1: Safe Storage Incentive Bill

“We need to change the status quo to make Wisconsinites safer from violent crime,” said Attorney General Josh Kaul. “While there is no simple solution to gun violence, we must move forward with common-sense policies like universal background checks that can help keep firearms out of the hands of people who’ve been shown to be dangerous.”

A spokesperson for concerned health professionals noted, “As physicians, nurses, and public health professionals, we strive to keep our patients healthy in every way. In 2020, firearm-related injuries surpassed motor vehicle crashes as the leading cause of death among children and adolescents in the U.S. and Wisconsin. To address this crisis we believe the way forward is to adopt a comprehensive public health approach like what was done to reduce deaths and injuries from motor vehicle crashes. Policies that make our children safer, including safe gun storage in homes with children, is one component of this approach.”

Senator LaTonya Johnson added, “When my Republican colleagues on the Joint Finance Committee removed gun safety provisions from the state budget, their excuse was that these were non-fiscal items. Today, we heard from physicians, nurses, and public health professionals about the profound impact of gun violence on our community’s health, particularly on our children. If we can’t discuss these lifesaving measures as part of the state budget, then let’s give these proposals the public hearing they deserve.”

"Background checks are a crucial part of comprehensive gun violence prevention and are foundational for safe gun ownership." added Rep. Shelia Stubbs. "Background checks must be respected as a necessary part of gun sales. I urge support of this critical legislation so that we can build a safer Wisconsin."

"These laws are in place in red and blue states and have withstood legal challenges," said Rep. Deb Andraca. "If Republicans disagree with a majority of Wisconsin voters, they have the power to vote these common-sense bills down in committee. It's just unacceptable to stand by and do nothing – especially when summer is here and lives are at stake."

The bills being circulated today are overwhelmingly popular with Wisconsin voters. In fact, the [latest Marquette poll](#) found 83% of gun households and 88% of non-gun households support Extreme Risk Protection Orders. An [April Fox News Poll](#) showed 87% support background checks on all gun sales and 80% support for ERPO laws. The deadline for co-sponsorship for all three proposals is June 21, and we welcome our colleagues on both sides of the aisle to sign on in support.

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Senator LaTonya Johnson (D-Milwaukee), Representative Shelia Stubbs (D-Madison) and Representative Deb Andraca (D-Whitefish Bay) co-chair the Wisconsin Coalition for Gun Safety.

### **Background Checks On All Gun Sales - LRB 0110/1**

Under current law, a federally licensed firearms dealer may not sell or transfer a handgun until the dealer has performed a background check to determine if the purchaser is prohibited from possessing a firearm under state or federal law. Under this bill, every gun sale or transfer would require a background check with the following exceptions:

- A transfer to a firearms dealer, law enforcement, or an armed services agency.
- A transfer of a firearm classified as an antique.
- A transfer of no more than 14 days for the purposes of hunting or target shooting.
- A transfer that is a gift, bequest, or inheritance to a family member.

### **Extreme Risk Protection Orders (ERPO) - LRB 2727/1**

This bill creates an extreme risk protection temporary restraining order and injunction to prohibit a person from possessing a firearm.

The process:

- A law enforcement officer or a family member of the person may file a petition with the court to request an extreme risk protection injunction. It must allege facts that show the person is likely to injure themselves or another person if they possess a firearm.

- The petitioner may request a temporary restraining order (TRO) if they include evidence that there is an immediate and present danger that the person may injure themselves or another person.
  - If the petitioner requests a TRO, the court must hear the petition in an expedited manner.
  - If the judge issues a TRO, it is in effect until the injunction hearing, which must occur within 14 days of the TRO issuance.
- At the injunction hearing, the court may grant an extreme risk protection injunction ordering the person to refrain from possessing a firearm and to surrender all firearms they possess if the court finds that the person is substantially likely to injure himself or herself or another if the person possesses a firearm.
- An ERPO is effective for up to one year and may be renewed.
- A person who is subject to an extreme risk protection injunction may petition to vacate the injunction.
- Penalties:
  - A person who possesses a firearm while subject to an extreme risk protection TRO or injunction is guilty of a Class G felony.
  - A person who files a petition for an extreme risk protection injunction, knowing the information in the petition to be false, is guilty of the crime of false swearing, a Class H felony.

### **Safe Storage Incentive Bill - LRB 3503/1**

This bill will make gun safes, barrel locks, and trigger locks sales tax exempt to encourage safe, secure, and responsible storage of firearms when they are not in use.

- An estimated 54% of gun owners don't lock all of their guns securely.
- Every year, nearly 350 children under the age of 18 unintentionally shoot themselves or someone else.
- Households that locked both firearms and ammunition were associated with a 78% lower risk of self-inflicted firearm injuries and an 85% lower risk of unintentional firearm injuries among children and teens, compared to those that locked neither.