



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-0816/1
CMH:emw

2025 BILL

1 **AN ACT** *to amend* 175.35 (1) (at) and 175.35 (2g) (c) 4. a. and b.; *to create*
2 20.455 (2) (cw) and 165.64 of the statutes; **relating to:** voluntary prohibitions
3 on purchasing a handgun and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Justice to allow individuals to prohibit themselves from purchasing a handgun. Under the bill, DOJ must maintain a database of individuals who voluntarily prohibit themselves from purchasing a handgun. An individual may request inclusion in the database by submitting a request to DOJ. The request must include a method of contacting the individual so that DOJ may verify that the individual made the request. The request must also indicate the length of the prohibition the individual is requesting: a one-year, irrevocable prohibition; a five-year prohibition, the first year being irrevocable; or a 20-year prohibition, the first year being irrevocable. During a revocable period, an individual may remove the prohibition by submitting to DOJ a request for removal. Upon receiving a request for removal, DOJ may not remove the individual from the database until after 48 hours lapse since receipt of the request. The bill also requires DOJ, when responding to a request for a background check from a licensed firearm dealer regarding an individual who is in the database, to indicate that the individual is prohibited from purchasing a handgun.

BILL**SECTION 1**

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	2025-26	2026-27
20.455 Justice, department of		
(2) LAW ENFORCEMENT SERVICES		
(cw) Voluntary prohibition on handgun purchases	GPR C 150,000	150,000

SECTION 2. 20.455 (2) (cw) of the statutes is created to read:

20.455 (2) (cw) *Voluntary prohibition on handgun purchases.* As a continuing appropriation, the amounts in the schedule to administer the program under s. 165.64 that allows individuals to prohibit themselves from purchasing a handgun.

SECTION 3. 165.64 of the statutes is created to read:

165.64 Voluntary prohibition on handgun purchases. (1) In this section, “department” means the department of justice.

(2) The department shall develop forms for individuals to submit to the department to request, or to renew a request, that the individual be prohibited from purchasing a handgun. The forms shall require the individual to provide contact information for verifying the request and allow the individual to choose the term of the prohibition as follows:

(a) A one-year, irrevocable term.

BILL**SECTION 3**

1 (b) A 5-year term, the first year being irrevocable.

2 (c) A 20-year term, the first year being irrevocable.

3 (3) If an individual submits a form requesting that they be prohibited from
4 purchasing a handgun, the department shall use the individual's contact
5 information to verify that the individual made the request and enter the
6 individual's identifying information into a database the department maintains.

7 (4) (a) Subject to par. (b), the department shall remove the individual's
8 identifying information from the database under sub. (3) if any of the following
9 occurs:

10 1. The individual responds to the verification notice under sub. (3) and states
11 that the individual did not make the request.

12 2. After the term under sub. (2) expires, the individual submits a form
13 designed by the department requesting that their identifying information be
14 removed. A term that has expired and has not been renewed continues until
15 revoked under this subdivision.

16 3. Before the term under sub. (2) expires but after the request becomes
17 revocable under sub. (2) (b) or (c), the individual submits a form designed by the
18 department requesting that their identifying information be removed.

19 (b) 1. If the department receives a response under par. (a) 1., the department
20 shall remove the individual's identifying information from the database
21 immediately.

22 2. If the department receives a request under par. (a) 2. or 3. to remove an
23 individual's identifying information from the database, the department may not
24 remove the individual's identifying information from the database until at least 48

BILL**SECTION 3**

1 hours have elapsed since the department received the request. Before removing the
2 individual's identifying information, the department shall determine if the
3 individual is prohibited from possessing a firearm under s. 941.29, and, if the
4 individual is prohibited, the department shall notify the individual of the
5 prohibition.

6 (5) The department may disclose an individual's identifying information
7 included in the database under sub. (3) only as part of a firearms restrictions record
8 search under s. 175.35 (1) (at) or to the individual who is the subject of the
9 information.

10 **SECTION 4.** 175.35 (1) (at) of the statutes is amended to read:

11 175.35 (1) (at) "Firearms restrictions record search" means a search of
12 department of justice records to determine whether a person seeking to purchase a
13 handgun is prohibited from possessing a firearm under s. 941.29 or is included in
14 the database under s. 165.64 (3). "Firearms restrictions record search" includes a
15 criminal history record search, a search to determine whether a person is
16 prohibited from possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats., a search
17 in the national instant criminal background check system to determine whether a
18 person has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45
19 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search to determine whether the person
20 is subject to an injunction under s. 813.12 or 813.122, or a tribal injunction, as
21 defined in s. 813.12 (1) (e), issued by a court established by any federally recognized
22 Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin,
23 that includes notice to the respondent that he or she is subject to the requirements
24 and penalties under s. 941.29 and that has been filed with the circuit court under s.

BILL**SECTION 4**

1 813.128 (3g), and a search to determine whether the person is prohibited from
2 possessing a firearm under s. 813.123 (5m) or 813.125 (4m).

3 **SECTION 5.** 175.35 (2g) (c) 4. a. and b. of the statutes are amended to read:

4 175.35 **(2g)** (c) 4. a. If the search indicates that the transferee is prohibited
5 from possessing a firearm under s. 941.29 or is included in the database under s.
6 165.64 (3), the department shall provide the firearms dealer with a unique
7 nonapproval number. The department may not disclose to the firearms dealer the
8 reason the transferee is prohibited from possessing a firearm under s. 941.29 or
9 that the transferee is included in the database under s. 165.64 (3).

10 b. If the search indicates that the transferee is not prohibited from possessing
11 a firearm under s. 941.29 and is not included in the database under s. 165.64 (3),
12 the department shall provide the firearms dealer with a unique approval number.

13 **SECTION 6. Effective date.**

14 (1) This act takes effect on the first day of the 19th month beginning after
15 publication.

16 (END)