



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2543/1
CMH:kjf

2017 ASSEMBLY BILL 1051

March 22, 2018 - Introduced by Representatives SARGENT, CROWLEY, BERCEAU, ZAMARRIPA, C. TAYLOR, OHNSTAD, VRUWINK, KOLSTE, ANDERSON, SINICKI, NOVAK, HEBL, HESSELBEIN, CONSIDINE, SUBECK, BROSTOFF and KULP, cosponsored by Senators L. TAYLOR, JOHNSON, SCHACHTNER, LARSON, CARPENTER, MILLER and RISSER. Referred to Committee on Judiciary.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to amend** 165.63 (3), 165.63 (4) (d), 175.35 (1) (at), 175.60 (9g) (a) 2.,
2 757.69 (1) (j), 801.50 (5s), 813.06, 813.126 (1), 813.127, 813.128 (2g) (b) and
3 941.29 (1m) (g); and **to create** 813.124 of the statutes; **relating to:** lethal
4 violence protective temporary restraining orders and injunctions and providing
5 criminal penalties.

Analysis by the Legislative Reference Bureau

Under current law, a person is prohibited from possessing a firearm, and must surrender any firearm he or she possesses, if he or she is subject to a domestic abuse injunction, a child abuse injunction, or, in certain cases, a harassment or an individuals-at-risk injunction. If a person surrenders a firearm because he or she is subject to one of those injunctions, the firearm may not be returned to the person until a court determines that the injunction has been vacated or has expired and that the person is not otherwise prohibited from possessing a firearm. A person who is prohibited from possessing a firearm under such an injunction is guilty of a Class G felony if he or she violates the prohibition.

This bill creates a lethal violence protective temporary restraining order and a lethal violence protective injunction. Upon receiving a petition filed by certain persons, such as a law enforcement officer or a family member, household member, or close friend of the respondent, a court shall issue a temporary restraining order prohibiting the respondent from possessing a firearm and ordering the respondent to surrender all of his or her firearms if the court finds reasonable grounds to believe

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that the respondent is substantially likely to injure himself or herself or another person if the respondent possesses a firearm. At the injunction hearing, the court may grant a lethal violence protective injunction ordering the respondent to refrain from possessing a firearm if the court finds reasonable grounds to believe that the respondent is substantially likely to injure himself or herself or another person if the respondent possesses a firearm. A lethal violence protective injunction is effective for 180 days and may be renewed for an unlimited number of 180-day terms. Any person who is subject to a lethal violence protective injunction may petition to vacate the injunction. A person who possesses a firearm while subject to a lethal violence protective TRO or injunction is guilty of a Class G felony. In addition, a person who files a petition for a lethal violence protective TRO or injunction, knowing the information in the petition to be false or with the intent to harass, is subject to a fine of up to \$10,000 and imprisonment for up to nine months or both.

For further information see the *state and local* 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:

1 **SECTION 1.** 165.63 (3) of the statutes is amended to read:

2 165.63 (3) REQUESTS FROM COURTS. In making a determination required under
3 s. 813.124 (8) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1., a judge or court commissioner
4 shall request information under sub. (2) from the department or from a law
5 enforcement agency or law enforcement officer as provided in sub. (4) (d).

6 **SECTION 2.** 165.63 (4) (d) of the statutes is amended to read:

7 165.63 (4) (d) Aid the court in making a determination required under s.
8 813.124 (8) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1. or aid an entity in making a
9 determination required under s. 968.20 (1m) (d) 2.

10 **SECTION 3.** 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. “Firearms
14 restrictions record search” includes a criminal history record search, a search to

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1 determine whether a person is prohibited from possessing a firearm under s. 51.20
2 (13) (cv) 1., 2007 stats., a search in the national instant criminal background check
3 system to determine whether a person has been ordered not to possess a firearm
4 under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search
5 to determine whether the person is subject to an injunction under s. 813.12 or
6 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
7 established by any federally recognized Wisconsin Indian tribe or band, except the
8 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
9 or she is subject to the requirements and penalties under s. 941.29 and that has been
10 filed with the circuit court under s. 813.128 (3g), and a search to determine whether
11 the person is prohibited from possessing a firearm under s. 813.123 (5m), 813.124 (3)
12 or (4), or 813.125 (4m).

13 **SECTION 4.** 175.60 (9g) (a) 2. of the statutes is amended to read:

14 175.60 **(9g)** (a) 2. The department shall conduct a criminal history record
15 search and shall search its records and conduct a search in the national instant
16 criminal background check system to determine whether the applicant is prohibited
17 from possessing a firearm under federal law; whether the applicant is prohibited
18 from possessing a firearm under s. 941.29; whether the applicant is prohibited from
19 possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats.; whether the applicant
20 has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1.,
21 54.10 (3) (f) 1., or 55.12 (10) (a); whether the applicant is subject to an injunction
22 under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued
23 by a court established by any federally recognized Wisconsin Indian tribe or band,
24 except the Menominee Indian tribe of Wisconsin, that includes notice to the
25 respondent that he or she is subject to the requirements and penalties under s.

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1 941.29 and that has been filed with the circuit court under s. 813.128 (3g); and
2 whether the applicant is prohibited from possessing a firearm under s. 813.123 (5m),
3 813.124 (3) or (4), or 813.125 (4m); and to determine if the court has prohibited the
4 applicant from possessing a dangerous weapon under s. 969.02 (3) (c) or 969.03 (1)
5 (c) and if the applicant is prohibited from possessing a dangerous weapon as a
6 condition of release under s. 969.01.

7 **SECTION 5.** 757.69 (1) (j) of the statutes is amended to read:

8 757.69 (1) (j) Hold hearings, make findings and issue temporary restraining
9 orders under s. 813.122 ~~or~~, 813.123, or 813.124.

10 **SECTION 6.** 801.50 (5s) of the statutes is amended to read:

11 801.50 (5s) Venue of an action under s. 813.122, 813.124, or 813.125 shall be
12 in the county in which the cause of action arose or where the petitioner or the
13 respondent resides.

14 **SECTION 7.** 813.06 of the statutes is amended to read:

15 **813.06 Security for damages.** In proceedings under s. 767.225 the court or
16 judge may, and in all other proceedings except proceedings under ss. 813.12, 813.122,
17 813.124, 813.125 and 823.113 the court or judge shall, require a bond of the party
18 seeking an injunction, with sureties, to the effect that he or she will pay to the party
19 enjoined such damages, not exceeding an amount to be specified, as he or she may
20 sustain by reason of the injunction if the court finally decides that the party was not
21 entitled thereto. Copies of such bond, affidavit or other pleading shall be served upon
22 the party enjoined and the officer serving the same shall, within 8 days after such
23 service, file his or her return in the office of the clerk of the court.

24 **SECTION 8.** 813.124 of the statutes is created to read:

ASSEMBLY BILL 1051**1 813.124 Lethal violence protective orders and injunctions. (1)**

2 DEFINITIONS. In this section:

3 (a) “Firearms dealer” has the meaning given in s. 175.35 (1) (ar).

4 (b) “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).

5 (c) “Reasonable grounds” means more likely than not that a specific event will
6 occur.

7 **(2) COMMENCEMENT OF ACTION AND RESPONSE.** (a) No action under this section
8 may be commenced by complaint and summons. An action under this section may
9 be commenced only by a petition described under sub. (5) (a). The action commences
10 with the sheriff serving the petition on the respondent if a copy of the petition is filed
11 before service or promptly after service. If the judge or a circuit court commissioner
12 extends the time for a hearing under sub. (3) (c) and the petitioner files an affidavit
13 with the court stating that personal service by the sheriff under s. 801.11 (1) (a) or
14 (b) was unsuccessful because the respondent is avoiding service by concealment or
15 otherwise, the judge or circuit court commissioner shall inform the petitioner that
16 he or she may serve the respondent by publication of a summary of the petition as
17 a class 1 notice, under ch. 985, and by mailing or sending a facsimile if the
18 respondent’s post-office address or facsimile number is known or can with due
19 diligence be ascertained. The mailing or sending of a facsimile may be omitted if the
20 post-office address or facsimile number cannot be ascertained with due diligence.
21 A summary of the petition published as a class 1 notice shall include the name of the
22 respondent and of the petitioner, notice of the temporary restraining order, and
23 notice of the date, time, and place of the hearing regarding the injunction. The court
24 shall inform the petitioner in writing that the petitioner should contact the sheriff
25 to verify the proof of service of the petition.

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1 (b) Section 813.06 does not apply to an action under this section. The
2 respondent may respond to the petition either in writing before or at the hearing on
3 the issuance of the injunction or orally at that hearing.

4 (c) When the respondent is served with the petition under this subsection, the
5 respondent shall be provided notice of the requirements and penalties under s.
6 941.29.

7 **(2m) TWO-PART PROCEDURE.** Procedure for an action under this section is in 2
8 parts. First, if the petitioner requests a temporary restraining order, the court shall
9 issue or refuse to issue that order. Second, the court shall hold a hearing under sub.
10 (4) on whether to issue an injunction, which is the final relief. If the court issues a
11 temporary restraining order, the order shall set forth the date for the hearing on an
12 injunction. If the court does not issue a temporary restraining order, the date for the
13 hearing shall be set upon motion by either party.

14 **(3) TEMPORARY RESTRAINING ORDER.** (a) 1. A judge or circuit court commissioner
15 shall issue a temporary restraining order prohibiting the respondent from
16 possessing a firearm and ordering the respondent to surrender all of his or her
17 firearms if the judge or circuit court commissioner finds reasonable grounds to
18 believe that the respondent is substantially likely to injure himself or herself or
19 another person if the respondent possesses a firearm.

20 2. The judge or circuit court commissioner shall base the finding under subd.
21 1. on the following:

22 a. Any testimony.

23 b. The petition.

24 c. A recent threat of violence or act of violence by the respondent directed
25 toward himself or herself or another person.

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1 d. A pattern of violent acts or violent threats by the respondent within the past
2 12 months, including threats of violence or acts of violence directed toward himself
3 or herself or another person.

4 3. The judge or circuit court commissioner may base the finding under subd.
5 1. on any factors in addition to those under subd. 2., including any of the following:

6 a. Any unlawful or reckless use, display, or brandishing of a firearm by the
7 respondent.

8 b. The respondent's history of use, attempted use, or threatened use of physical
9 force against himself or herself or another person.

10 c. A prior arrest of the respondent for a felony.

11 d. Evidence that the respondent has abused controlled substances or alcohol.

12 e. Evidence that the respondent has recently acquired firearms, ammunition,
13 or other dangerous weapons.

14 (am) The order issued under par. (a) requires one of the following:

15 1. If the respondent is present at the hearing, the respondent to immediately
16 surrender all firearms that he or she has in his or her possession to the sheriff of the
17 county in which the action under this section was commenced or to the sheriff of the
18 county in which the respondent resides. The sheriff to whom the firearms are
19 surrendered may, at the request of the respondent, arrange for the sale of the
20 firearms to a firearms dealer.

21 2. One of the following:

22 a. If the respondent is not present at the hearing and the sheriff personally
23 serves the respondent with the order issued under par. (a), the sheriff to request the
24 respondent to immediately surrender all firearms in his or her possession. The

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1 sheriff may, at the request of the respondent, arrange for the sale of the firearms to
2 a firearms dealer.

3 b. If the respondent is not present at the hearing and the sheriff does not
4 personally serve the respondent with the order issued under par. (a), the respondent
5 to, within 24 hours of service, surrender all firearms in his or her possession to the
6 sheriff or sell all firearms in his or her possession to a firearms dealer. Within 48
7 hours of service, the respondent shall file with the court that issued the order under
8 par. (a) a receipt from the sheriff or firearms dealer indicating that the respondent
9 surrendered the firearms.

10 (an) If the respondent does not comply with par. (am) and a law enforcement
11 officer has probable cause to believe that the respondent possesses a firearm, the law
12 enforcement officer shall request a search warrant to seize the firearms and may use
13 information contained in the petition to establish probable cause.

14 (b) Notice need not be given to the respondent before issuing a temporary
15 restraining order under this subsection. A temporary restraining order may be
16 entered only against the respondent named in the petition.

17 (c) A temporary restraining order issued under this subsection is in effect until
18 a hearing is held on issuance of an injunction under sub. (4). A judge or circuit court
19 commissioner shall hold a hearing on issuance of an injunction under sub. (4) within
20 14 days after the temporary restraining order is issued, unless the time is extended
21 once for up to 14 days upon the written consent of the parties or upon a finding that
22 the respondent has not been served with a copy of the temporary restraining order
23 although the petitioner has exercised due diligence. A judge or court commissioner
24 may not extend the temporary restraining order in lieu of ruling on the issuance of
25 an injunction.

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1 (d) The judge or circuit court commissioner shall advise the petitioner of the
2 right to serve the respondent the petition by published notice if with due diligence
3 the respondent cannot be served as provided under s. 801.11 (1) (a) or (b). The clerk
4 of the circuit court shall assist the petitioner with the preparation of the notice and
5 filing of the affidavit of printing.

6 (4) INJUNCTION. (a) A judge may grant an injunction prohibiting the respondent
7 from possessing a firearm and, if the respondent was not subject to a temporary
8 restraining order under sub. (3), ordering the respondent to surrender his or her
9 firearms if all of the following occur:

10 1. The petitioner files a petition alleging the elements set forth under sub. (5)
11 (a).

12 2. The petitioner serves upon the respondent a copy or summary of the petition
13 and notice of the time for hearing on the issuance of the injunction, or the respondent
14 serves upon the petitioner notice of the time for hearing on the issuance of the
15 injunction.

16 3. The judge finds reasonable grounds to believe that the respondent is
17 substantially likely to injure himself or herself or another person if the respondent
18 possesses a firearm.

19 4. The judge or circuit court commissioner shall base the finding under subd.
20 3. on the following:

21 a. Any testimony.

22 b. The petition.

23 c. Any recent threat of violence or act of violence by the respondent directed
24 toward himself or herself or another person.

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1 d. Any pattern of violent acts or violent threats by the respondent within the
2 past 12 months, including threats of violence or acts of violence directed toward
3 himself or herself or another person.

4 5. The judge or circuit court commissioner may base the finding under subd.
5 3. on any factors in addition to those under subd. 4., including any of the following:

6 a. Any unlawful or reckless use, display, or brandishing of a firearm by the
7 respondent.

8 b. The respondent's history of use, attempted use, or threatened use of physical
9 force against himself or herself or another person.

10 c. A prior arrest of the respondent for a felony.

11 d. Evidence that the respondent has abused controlled substances or alcohol.

12 e. Evidence that the respondent has recently acquired firearms, ammunition,
13 or other dangerous weapons.

14 (b) The judge may enter an injunction only against the respondent named in
15 the petition.

16 (c) 1. An injunction under this subsection is effective for 180 days unless a judge
17 vacates the injunction under par. (d).

18 2. When an injunction expires, the court shall extend the injunction, upon
19 petition, for 180 days if the judge finds reasonable grounds to believe that the
20 respondent is substantially likely to injure himself or herself or another person if the
21 respondent possesses a firearm. There is no limit to the number of extensions that
22 may be made under this subdivision.

23 (d) A respondent who is subject to an injunction that has been extended under
24 par. (c) may request a judge to vacate the injunction during any injunction period
25 other than the initial injunction period. If a respondent files a request under this

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1 paragraph, the petitioner shall be notified of the request before the judge considers
2 the request. The judge shall vacate the injunction if the judge does not find
3 reasonable grounds to believe that the respondent is substantially likely to injure
4 himself or herself or another person if the respondent possesses a firearm.

5 (e) An injunction issued under this subsection shall inform the respondent
6 named in the petition of the requirements and penalties under s. 941.29.

7 **(5) PETITION.** (a) The petition shall allege facts sufficient to show the following:

8 1. The name of the petitioner and, unless the petitioner is a law enforcement
9 officer, his or her relationship to the respondent, as provided under par. (c) 2. to 7.

10 2. The name of the respondent.

11 3. That the respondent is substantially likely to injure himself or herself or
12 another person if the respondent possesses a firearm.

13 4. The name of at least one adult who has personal knowledge of the conduct
14 of the respondent, who is not the petitioner, and who is able to testify that the
15 respondent is substantially likely to injure himself or herself or another person if the
16 respondent possesses a firearm.

17 5. If the petitioner knows, the number, types, and locations of any firearms that
18 the respondent possesses.

19 (b) The clerk of the circuit court shall provide simplified forms to help a person
20 file a petition.

21 (c) Only the following persons may prepare and file a petition under this
22 section:

23 1. A law enforcement officer.

24 2. A spouse, sibling, parent, or child of the respondent.

25 3. A household member, as defined in s. 813.12 (1) (c), of the respondent.

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1 4. A person with whom the respondent has or had a dating relationship, as
2 defined in s. 813.12 (1) (ag).

3 5. An adult who is a close friend of the respondent. A court shall determine if
4 an adult is a close friend by considering the length of the relationship, the type of the
5 relationship, and the frequency of the interaction between the adult individuals
6 involved in the relationship.

7 6. A coworker of the respondent.

8 7. A resident assistant employed by a postsecondary institution if the resident
9 assistant would have necessary knowledge of the respondent, as determined by the
10 court.

11 **(6) ENFORCEMENT ASSISTANCE.** (a) 1. If an injunction is issued, extended, or
12 vacated under sub. (4), the clerk of the circuit court shall notify the department of
13 justice of the action and shall provide the department of justice with information
14 concerning the period during which the injunction is in effect or the date on which
15 the injunction is vacated and with information necessary to identify the respondent
16 for purposes of responding to a request under s. 165.63 or for purposes of a firearms
17 restrictions record search under s. 175.35 (2g) (c) or a background check under s.
18 175.60 (9g) (a).

19 2. Except as provided in subd. 3., the department of justice may disclose
20 information that it receives under subd. 1. only to respond to a request under s.
21 165.63 or as part of a firearms restrictions record search under s. 175.35 (2g) (c) or
22 a background check under s. 175.60 (9g) (a).

23 3. The department of justice shall disclose any information that it receives
24 under subd. 1. to a law enforcement agency when the information is needed for law
25 enforcement purposes.

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1 (b) Within one business day after an order or injunction is issued, extended, or
2 vacated under this section, the clerk of the circuit court shall send a copy of the order
3 or injunction, or of the order extending or vacating an order or injunction, to the
4 sheriff or to any other local law enforcement agency which is the central repository
5 for orders and injunctions and which has jurisdiction over the petitioner's premises.

6 (c) No later than 24 hours after receiving the information under par. (b), the
7 sheriff or other appropriate local law enforcement agency under par. (b) shall enter
8 the information concerning an order or injunction issued, extended, or vacated under
9 this section into the transaction information for management of enforcement system.
10 The sheriff or other appropriate local law enforcement agency shall also make
11 available to other law enforcement agencies, through a verification system,
12 information on the existence and status of any order or injunction issued under this
13 section. The information need not be maintained after the order or injunction is no
14 longer in effect.

15 **(7) PENALTY.** Whoever files a petition under this section for a temporary
16 restraining order or injunction knowing the information in the petition to be false or
17 with the intent to harass shall be fined not more than \$10,000 or imprisoned for not
18 more than 9 months or both.

19 **(8) RETURN OF FIREARMS AND FORM.** (a) A firearm surrendered under this section
20 may not be returned to the respondent until the respondent completes a petition for
21 the return of firearms under par. (c) and a judge or circuit court commissioner
22 determines all of the following:

23 1. That the temporary restraining order or injunction has been vacated or has
24 expired and not been extended.

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1 2. That the person is not prohibited from possessing a firearm under any state
2 or federal law or by the order of any federal court or state court, other than an order
3 from which the judge or circuit court commissioner is competent to grant relief. The
4 court or commissioner shall use the information provided under s. 165.63 to aid in
5 making the determination under this subdivision.

6 (b) If a respondent surrenders under this section a firearm that is owned by a
7 person other than the respondent, the person who owns the firearm may apply for
8 its return to the circuit court for the county in which the person to whom the firearm
9 was surrendered is located. The court shall order such notice as it considers
10 adequate to be given to all persons who have or may have an interest in the firearm
11 and shall hold a hearing to hear all claims to its true ownership. If the right to
12 possession is proved to the court's satisfaction, it shall order the firearm returned.
13 If the court returns a firearm under this paragraph, the court shall inform the person
14 to whom the firearm is returned of the requirements and penalties under s. 941.29
15 (4).

16 (c) The director of state courts shall develop a petition for the return of firearms
17 in substantially the following form:

18 STATE OF WISCONSIN
19 IN CIRCUIT COURT FOR COUNTY
20 Petition to Return Firearm(s)

21 In re the Return of Firearms to (name of person required to surrender firearms
22 in an action under s. 813.124)

23 Requesting person's information: date of birth, sex, race, height, weight, hair
24 color, eye color, address, and phone number.

25 Under oath I state that:

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1 1. The court issued a temporary restraining order or injunction against me on
2 (date of order or injunction).

3 2. The court ordered me to surrender any firearms I had in my possession, and
4 I surrendered the firearms to the sheriff of this county or the sheriff of the county in
5 which I resided, which is (name of county).

6 3. I surrendered the following firearms as provided in item 2 and have attached
7 a receipt from the sheriff.

8 4. The temporary restraining order or injunction has (been vacated) (expired
9 and has not been extended).

10 5. I (have) (have not) been convicted of a misdemeanor crime of domestic
11 violence.

12 6. I (have) (have not) been convicted of a felony.

13 7. I am not prohibited from possessing a firearm under any state or federal law
14 or by the order of any federal court or state court, other than an order from which a
15 judge or court commissioner is competent to grant relief.

16 I request that the court enter an order directing that the sheriff named under
17 item 2 return to me those firearms that were surrendered under the order of the
18 court.

19 Subscribed and sworn to before me on (date)

20 (Signature of person requesting return of firearms)

21 (Signature of notary public, state of Wisconsin)

22 My commission expires on (date)

23 Dated this day of, (year)

24 Distribution:

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1 1. Court - original 2. Petitioner in action under s. 813.124 3. Sheriff to whom
2 firearm(s) were surrendered

3 **SECTION 9.** 813.126 (1) of the statutes is amended to read:

4 813.126 (1) TIME LIMITS. If a party seeks to have the judge conduct a hearing
5 de novo under s. 757.69 (8) of a determination, order, or ruling entered by a court
6 commissioner in an action under s. 813.12, 813.122, 813.123, 813.124, or 813.125,
7 including a denial of a request for a temporary restraining order, the motion
8 requesting the hearing must be filed with the court within 30 days after the circuit
9 court commissioner issued the determination, order, or ruling. The court shall hold
10 the de novo hearing within 30 days after the motion requesting the hearing is filed
11 with the court unless the court finds good cause for an extension. Any determination,
12 order, or ruling entered by a court commissioner in an action under s. 813.12,
13 813.122, 813.123, 813.124, or 813.125 remains in effect until the judge in the de novo
14 hearing issues his or her final determination, order, or ruling.

15 **SECTION 10.** 813.127 of the statutes is amended to read:

16 **813.127 Combined actions; domestic abuse, child abuse, lethal**
17 **violence, and harassment.** A petitioner may combine in one action 2 or more
18 petitions under one or more of the provisions in ss. 813.12, 813.122, 813.124, and
19 813.125 if the respondent is the same person in each petition. In any such action,
20 there is only one fee applicable under s. 814.61 (1) (a). In any such action, the
21 hearings for different types of temporary restraining orders or injunctions may be
22 combined.

23 **SECTION 11.** 813.128 (2g) (b) of the statutes is amended to read:

24 813.128 (2g) (b) A foreign protection order or modification of the foreign
25 protection order that meets the requirements under this section has the same effect

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1 as an order issued under s. 813.12, 813.122, 813.123, 813.124, or 813.125, except that
2 the foreign protection order or modification shall be enforced according to its own
3 terms.

4 **SECTION 12.** 941.29 (1m) (g) of the statutes is amended to read:

5 941.29 **(1m)** (g) The person is subject to an order not to possess a firearm under
6 s. 813.123 (5m), 813.124 (3) or (4), or 813.125 (4m).

7 (END)