



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-5346/1  
EVM:skw

## 2023 ASSEMBLY BILL 889

January 2, 2024 - Introduced by Representatives KITCHENS, CONSIDINE, BEHNKE, BINSFELD, CONLEY, DITTRICH, DUCHOW, JACOBSON, NOVAK, OHNSTAD, ORTIZ-VELEZ, PLUMER and SINICKI, cosponsored by Senators JAMES, HESSELBEIN, AGARD, ROYS and SPREITZER. Referred to Committee on Criminal Justice and Public Safety.

1     **AN ACT** *to renumber and amend* 346.89 (4m); and *to create* 346.89 (4m) (a) 2.  
2             and 346.89 (4m) (b) 1. of the statutes; **relating to:** use of cellular telephones in  
3             school zones and providing a penalty.

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***Analysis by the Legislative Reference Bureau***

Current law prohibits a person from driving a motor vehicle while using a cellular phone in a highway construction zone, except to report an emergency or certain hands-free use. A person who violates this provision may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year. This bill expands this prohibition to school zones during school hours or whenever a child is present.

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

4             **SECTION 1.** 346.89 (4m) of the statutes is renumbered 346.89 (4m) (a) (intro.)  
5             and amended to read:

