

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB171)

Received: **05/14/2009**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Frederick Kessler (608) 266-5813**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Kessler@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

GPS

Instructions:

On page 2, line 4: add "owned by the employer" after commercial motor vehicle

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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<END>



2009 ASSEMBLY BILL 171

March 26, 2009 – Introduced by Representatives KRAMER, KESSLER and SCHNEIDER, cosponsored by Senator ERPENBACH. Referred to Committee on Personal Privacy.

1 **AN ACT** *to create* 940.315 of the statutes; **relating to:** unlawful use of a global
2 positioning device and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill makes it unlawful to place a global positioning device on another person's vehicle without that person's knowledge and consent or to intentionally obtain information regarding another person's movement or location generated by a global positioning device without that person's knowledge or consent. A person who does so is guilty of a Class I felony and is subject to a fine not to exceed \$10,000, imprisonment not to exceed three years and six months, or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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:

3 **SECTION 1.** 940.315 of the statutes is created to read:
4 **940.315 Global positioning devices.** Whoever places a global positioning
5 device on a vehicle owned or used by another person without that person's knowledge

ASSEMBLY BILL 171

1 and consent or intentionally obtains information regarding another person's
2 movement or location generated by a global positioning device without that person's
3 knowledge or consent is guilty of a Class I felony. This section does not apply to a law
4 enforcement officer acting in his or her official capacity or to an employer, as defined
5 in s. 343.245 (1) (b), acting to track the movement or location of a commercial motor
6 vehicle during business hours.

7 (END)

*owned
by the
employer*



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa0481/1

PJH:.....

SOON

JLD

ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL 171

5-15

1
2
3

At the locations indicated, amend the bill[✓] as follows:

1. Page 2, line 6: after "vehicle"[✓] insert "owned by the employer".

(END)