



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 853**

March 15, 1996 – Offered by JOINT COMMITTEE ON INFORMATION POLICY.

1 **AN ACT to amend** 66.051 (1) (c), 971.37 (1m) (a) 2. and 973.055 (1) (a) 1.; and **to**
2 **create** 947.0125 of the statutes; **relating to:** use of electronic mail and other
3 computerized communication systems and providing penalties.

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

4 **SECTION 1.** 66.051 (1) (c) of the statutes is amended to read:

5 66.051 (1) (c) Prohibit conduct which is the same as or similar to that prohibited
6 by s. 947.01 ~~or~~, 947.012 or 947.0125.

7 **SECTION 2.** 947.0125 of the statutes is created to read:

8 **947.0125 Unlawful use of computerized communication systems. (1)** In
9 this section, “message” means any transfer of signs, signals, writing, images, sounds,
10 data or intelligence of any nature, or any transfer of a computer program, as defined
11 in s. 943.70 (1) (c).

12 **(2)** Whoever does any of the following is guilty of a Class B misdemeanor:

13 (a) With intent to frighten, intimidate, threaten, abuse or harass another
14 person, sends a message to the person on an electronic mail or other computerized

1 communication system and in that message threatens to inflict injury or physical
2 harm to any person or the property of any person.

3 (b) With intent to frighten, intimidate, threaten, abuse or harass another
4 person, sends a message on an electronic mail or other computerized communication
5 system with the reasonable expectation that the person will receive the message and
6 in that message threatens to inflict injury or physical harm to any person or the
7 property of any person.

8 (c) With intent to frighten, intimidate, threaten or abuse another person, sends
9 a message to the person on an electronic mail or other computerized communication
10 system and in that message uses any obscene, lewd or profane language or suggests
11 any lewd or lascivious act.

12 (d) With intent to frighten, intimidate, threaten or abuse another person, sends
13 a message on an electronic mail or other computerized communication system with
14 the reasonable expectation that the person will receive the message and in that
15 message uses any obscene, lewd or profane language or suggests any lewd or
16 lascivious act.

17 (e) With intent to frighten, intimidate, threaten or abuse another person, sends
18 a message to the person on an electronic mail or other computerized communication
19 system while intentionally preventing or attempting to prevent the disclosure of his
20 or her own identity.

21 (f) While intentionally preventing or attempting to prevent the disclosure of his
22 or her identity and with intent to frighten, intimidate, threaten or abuse another
23 person, sends a message on an electronic mail or other computerized communication
24 system with the reasonable expectation that the person will receive the message.

25 **(3)** Whoever does any of the following is subject to a Class B forfeiture:

1 (a) With intent to harass, annoy or offend another person, sends a message to
2 the person on an electronic mail or other computerized communication system and
3 in that message uses any obscene, lewd or profane language or suggests any lewd or
4 lascivious act.

5 (b) With intent to harass, annoy or offend another person, sends a message on
6 an electronic mail or other computerized communication system with the reasonable
7 expectation that the person will receive the message and in that message uses any
8 obscene, lewd or profane language or suggests any lewd or lascivious act.

9 (c) With intent solely to harass another person, sends repeated messages to the
10 person on an electronic mail or other computerized communication system.

11 (d) With intent solely to harass another person, sends repeated messages on
12 an electronic mail or other computerized communication system with the reasonable
13 expectation that the person will receive the messages.

14 (e) With intent to harass or annoy another person, sends a message to the
15 person on an electronic mail or other computerized communication system while
16 intentionally preventing or attempting to prevent the disclosure of his or her own
17 identity.

18 (f) While intentionally preventing or attempting to prevent the disclosure of his
19 or her identity and with intent to harass or annoy another person, sends a message
20 on an electronic mail or other computerized communication system with the
21 reasonable expectation that the person will receive the message.

22 (g) Knowingly permits or directs another person to send a message prohibited
23 by this section from any computer terminal or other device that is used to send
24 messages on an electronic mail or other computerized communication system and
25 that is under his or her control.

