



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2007 Senate Bill 162	Senate Amendment 1
<i>Memo published:</i> March 4, 2008	
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Current law provides that a judge or circuit court commissioner may issue a temporary restraining order or an injunction against a person if there are reasonable grounds to believe that the person has engaged in, or based on prior conduct may engage in, domestic abuse. The term “domestic abuse” is defined to mean any of the following actions engaged in by an individual against another individual in a domestic relationship:

1. Intentional infliction of physical pain, physical injury, or illness.
2. Intentional impairment of physical condition.
3. The commission of first, second, or third degree sexual assault.
4. Certain property damage.
5. A threat to engage in the conduct listed above in items 1. to 4. [See s. 813.12 (1) (am), (3) (a), and (4) (a), Stats.]

A person who knowingly violates a domestic abuse temporary restraining order or injunction must be fined not more than \$1,000 or imprisoned for not more than nine months, or both. The violation constitutes a misdemeanor. [See s. 813.12 (8) (a), Stats.]

Senate Bill 162 proposes to expand the definition of the term “domestic abuse” generally to include any treatment of any of the following animals that would constitute a crime against an animal under ch. 951, Stats.:

1. An animal that is owned by or in the care, control, or custody of any abuser or victim, wherever located.
2. An animal that is owned by or in the care, control, or custody of a child of any abuser or victim, wherever located.

3. An animal that is owned by or in the care, control, or custody of any member of the household of any abuser or victim, wherever located. [See proposed s. 813.12 (1) (am) 4., Stats., as contained in Senate Bill 162.]

The provisions of the bill do not apply to treatment of an animal that is done for any legitimate and necessary agricultural or veterinary purpose.

Senate Amendment 1 provides that the bill also does not apply to treatment of an animal that is done for any legitimate or necessary hunting purpose. Further, the amendment provides that the mistreatment of an animal under the bill must be done with the intent to frighten, intimate, threaten, abuse, or harass a victim.

Legislative History

On March 4, 2008, the Senate Committee on Judiciary, Corrections and Housing adopted Senate Amendment 1 on a vote of Ayes, 5; Noes, 0. The committee also recommended passage of Senate Bill 162, as amended, on a vote of Ayes, 4; Noes, 1.

RS:jal