



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2015 Assembly Bill 547

Assembly Amendment 1

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2015 ASSEMBLY BILL 547

2015 Assembly Bill 547 (the bill) provides criminal penalties for intentionally damaging or unlawfully entering certain property of an energy provider, which the bill defines as:

- A public utility that is engaged in the production, transmission, delivery, or furnishing of heat, power, or light; or the transmission or delivery of natural gas.
- An electric transmission company.
- A cooperative association organized for the purpose of producing or furnishing heat, light, or power for its members.
- A decommissioned nuclear power plant.
- A wholesale merchant plant that produces nuclear power.

Intentionally Damaging Property

Under current law, whoever intentionally damages any physical property of another without the person's consent is guilty of a Class A misdemeanor, which is punishable with a fine of no more than \$10,000 or imprisonment for no longer than nine months, or both.

The bill provides that whoever intentionally damages any physical property of another without the person's consent is guilty of a Class H felony if: (1) the damaged property is owned, leased, or operated by an energy provider; and (2) the actor intended to, or did, cause a substantial interruption of the energy provider's goods or services. Under current law, a Class H felony is punishable with a fine of no more than \$10,000 or imprisonment for no longer than six years, or both.

Unlawfully Entering Property

Under current law, whoever enters any land of another without the person's consent is generally subject to a Class B forfeiture, for which the penalty is a forfeiture of no more than \$1,000.

The bill provides that whoever intentionally enters certain property of an energy provider without lawful authority and without the energy provider's consent is guilty of a Class H felony if: (1) the property is owned, leased, or operated by an energy provider; and (2) the property is part of an electric generation, distribution, or transmission system or is part of a natural gas distribution system.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 expands the definition of "energy provider" to include all wholesale merchant plants.

BILL HISTORY

Assembly Amendment 1 was offered by Representative Steffen on December 4, 2015. On December 16, 2015, the Assembly Committee on Energy and Utilities recommended adoption of Assembly Amendment 1 on a vote of Ayes, 15; Noes, 0; and passage of the bill, as amended, on a vote of Ayes, 14; Noes, 1.

ZR:jal