



1999 ASSEMBLY BILL 552

October 25, 1999 – Introduced by Representatives GUNDRUM, ALBERS, NASS, PETTIS, LADWIG, AINSWORTH, F. LASEE, VRAKAS, OWENS, GOETSCH and UNDERHEIM. Referred to Committee on Criminal Justice.

1 **AN ACT** *to create* 942.09 of the statutes; **relating to:** unauthorized removal,
2 concealment, defacement or destruction of a petition and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no person may fraudulently deface or destroy a recall petition or a petition for a referendum. This bill creates a new crime relating to the removal, concealment, defacement or destruction of petitions. Under the bill, a person may not remove a petition from a place where it is lawfully displayed or conceal, deface or destroy a petition for the purpose of interfering with the collection of signatures. The bill applies both to recall and referendum petitions and to other types of petitions, but it does not apply to petitions displayed on property without the consent of the owner or occupant or to petitions drafted for use in administrative, judicial or quasi-judicial proceedings. A person violating this prohibition may be fined up to \$10,000 or imprisoned up to nine months or both.

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

3 **SECTION 1.** 942.09 of the statutes is created to read:
4 **942.09 Interfering with petition process.** (1) Whoever, with intent to
5 interfere with the collection of signatures, conceals, defaces or destroys a petition or

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SECTION 1

1 removes a petition from the place where it is being lawfully displayed is guilty of a
2 Class A misdemeanor.

3 (2) This section does not apply to any of the following:

4 (a) An owner or occupant of property who removes, conceals, defaces or destroys
5 a petition that has been displayed on the property without the consent of the owner
6 or occupant.

7 (b) A petition in a form that has been approved by statute or by a court or
8 administrative order, rule or decision for submission in connection with an
9 administrative, judicial or quasi-judicial proceeding.

10 (END)