



1995 SENATE BILL 7

January 11, 1995 - Introduced by Senators DRZEWIECKI, COWLES, RUDE, LEEAN, HUELSMAN, ZIEN, BRESKE and MOEN, cosponsored by Representatives JOHNSRUD, HARS DORF, MUSSER, FREESE, UNDERHEIM, GARD, GOETSCH, DOBYNS, ALBERS, SILBAUGH, VRAKAS, SERATTI, OWENS, LADWIG, HANDRICK, GRONEMUS, REYNOLDS and WILDER. Referred to Committee on Transportation, Agriculture and Local Affairs.

1 **AN ACT to amend** 943.13 (2) (a) and 943.13 (2) (b) of the statutes; **relating to:**
2 trespass to land.

Analysis by the Legislative Reference Bureau

Currently, a person who trespasses on another's land violates state law and is subject to a forfeiture (civil penalty) of not more than \$1,000. The offense involves entry on enclosed or cultivated land with a motor vehicle or with intent to hunt, fish or gather products of the soil without the owner's or occupant's consent, or entry on or hunting, fishing or gathering on any land after having been notified not to do so by the owner or occupant. The notification may be given in writing or orally or by posting notice with signs or markings. The signs and the markings may not contain blaze orange color. This bill eliminates the restriction on using blaze orange for signs or markings used to post notice against trespassings.

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

3 **SECTION 1.** 943.13 (2) (a) of the statutes is amended to read:
4 943.13 (2) (a) If a sign at least 11 inches square is placed in at least 2
5 conspicuous places for every 40 acres to be protected. The sign must carry an
6 appropriate notice and the name of the person giving the notice followed by the word
7 "owner" if the person giving the notice is the holder of legal title to the land and by
8 the word "occupant" if the person giving the notice is not the holder of legal title but
9 is a lawful occupant of the land. ~~None of the colors used in the sign may be blaze~~

1 orange. Proof that appropriate signs as provided in this paragraph were erected or
2 in existence upon the premises to be protected prior to the event complained of shall
3 be prima facie proof that the premises to be protected were posted as provided in this
4 paragraph.

5 **SECTION 2.** 943.13 (2) (b) of the statutes is amended to read:

6 943.13 (2) (b) If markings ~~in a color other than blaze orange~~ and at least one
7 foot long, including in a contrasting color ~~other than blaze orange~~ the phrase "private
8 land" and the name of the owner, are made in at least 2 conspicuous places for every
9 40 acres to be protected.

10 **SECTION 3. Initial applicability.**

11 (1) This act first applies to notice provided on the effective date of this
12 subsection, regardless of whether the signs were erected or the markings were made
13 prior to the effective date of this subsection.

14 (END)