

1999 DRAFTING REQUEST

Bill

Received: **11/17/98**

Received By: **olsenje**

Wanted: **As time permits**

Identical to LRB:

For: **Russell Decker (608) 266-2502**

By/Representing: **Barb**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters: **nelsorp1**

Subject: **Criminal Law - miscellaneous**

Extra Copies:

Topic:

Unauthorized release of animals

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	olsenje 11/17/98	chanaman 12/11/98		_____			
/1			hhagen 12/14/98	_____	lrb_docadmin 12/14/98	gretskl 01/5/99	
				_____		lrb_docadmin 01/5/99	

FE Sent For:

Not Needed

<END>

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1?	olsenje	11 4/69 cmH		_____			
		11 12/11 jcg	12/14	12/14			

FE Sent For:

<END>

For: Decker by: Barb

Redraft 97 AB 733
as shown by ASA 1
AA 4

for 99 session

Can talk to Gronemus's office

**ASSEMBLY AMENDMENT 4,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 733**

March 24, 1998 - Offered by Representatives GRONEMUS, HUBER, BAUMGART,
GOETSCH and OTT.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 11: after that line insert:

3 **SECTION 1L.** 174.02 (1) (a) of the statutes is amended to read:

4 174.02 (1) (a) *Without notice.* Subject to s. 895.045 and except as provided in
5 s. 895.57 (4), the owner of a dog is liable for the full amount of damages caused by
6 the dog injuring or causing injury to a person, domestic animal or property.

7 **SECTION 1m.** 174.02 (1) (b) of the statutes is amended to read:

8 174.02 (1) (b) *After notice.* Subject to s. 895.045 and except as provided in s.
9 895.57 (4), the owner of a dog is liable for 2 times the full amount of damages caused
10 by the dog injuring or causing injury to a person, domestic animal or property if the
11 owner was notified or knew that the dog previously injured or caused injury to a
12 person, domestic animal or property.”.

1 2. Page 2, line 16: delete lines 16 to 18 and substitute:

2 “895.57 (4) (a) In this subsection, “security device” includes any of the
3 following:

4 1. Any fence enumerated under s. 90.02.

5 2. A theft alarm signal device, a burglar alarm or any other security alarm
6 system or device.

7 3. A dog.

8 (b) Subject to par. (c), an owner or custodian of a confined animal is immune
9 from civil liability for any damages to a person if all of the following apply:

10 1. The person suffers the damages while violating or attempting to violate s.
11 943.75 (2m).

12 2. The damages are caused by a security device that is installed or used by the
13 owner or custodian and that the owner or custodian reasonably believes is necessary
14 to protect the confined animal or the premises containing the animal. For purposes
15 of this subdivision, it is not reasonable to install or use a security device that is
16 intended or likely to cause death or great bodily harm, as defined in s. 939.22 (14),
17 for the purpose of protecting a confined animal or the premises containing a confined
18 animal.

19 (c) If an owner or custodian of a confined animal uses a dog as a security device,
20 the owner or custodian is entitled to immunity under par. (b) only if the dog is on the
21 owner’s or custodian’s property at the time that it causes the damages.”.

22 3. Page 2, line 23: delete the material beginning with that line and ending with
23 page 3, line 14, and substitute:

24 “SECTION 9j. 943.75 (2) of the statutes is amended to read:

1 943.75 (2) Whoever intentionally releases an animal that is lawfully confined
2 for ~~scientific, farming,~~ companionship or protection of persons or property,
3 recreation, ~~restocking, research,~~ exhibition, ~~commercial~~ or educational purposes,
4 acting without the consent of the owner or custodian of the animal, is guilty of a Class
5 C misdemeanor. A 2nd violation of this section by a person is a Class A misdemeanor.
6 A 3rd or subsequent violation of this section by a person is a Class E felony.

7 **SECTION 9k.** 943.75 (2m) of the statutes is created to read:

8 943.75 (2m) Whoever intentionally releases an animal that is lawfully
9 confined for scientific, farming, restocking, research or commercial purposes, acting
10 without the consent of the owner or custodian of the animal, is guilty of a Class C
11 felony.

12 **SECTION 9L.** 943.75 (3) of the statutes, as affected by 1997 Wisconsin Act 27,
13 is amended to read:

14 943.75 (3) Subsection Subsections (2) does and (2m) do not apply to any
15 humane officer, local health officer, peace officer, employe of the department of
16 natural resources while on any land licensed under s. 29.573, 29.574, 29.575 or
17 29.578 or designated as a wildlife refuge under s. 29.57 (1) or employe of the
18 department of agriculture, trade and consumer protection if the officer's or employe's
19 acts are in good faith and in an apparently authorized and reasonable fulfillment of
20 his or her duties. This subsection does not limit any other person from claiming the
21 defense of privilege under s. 939.45 (3).

22 **SECTION 9m.** 943.75 (4) of the statutes is amended to read:

23 943.75 (4) When the existence of an exception under sub. (3) has been placed
24 in issue by the trial evidence, the state must prove beyond a reasonable doubt that

1 the facts constituting the exception do not exist in order to sustain a finding of guilt
2 under sub. (2) or (2m).”.

3 ~~4.~~ Page 4, line 10: after “(2)” insert “or (2m)”.

4 ~~5.~~ Page 4, line 20: after “(2)” insert “or (2m)”.

5 ~~6.~~ Page 5, line 9: after that line insert:

6 **“SECTION 17m. Initial applicability.**

7 (1f) UNAUTHORIZED RELEASE OF ANIMALS; CRIMINAL PENALTIES. The treatment of
8 section 943.75 (2) and (2m) of the statutes first applies to offenses committed on the
9 effective date of this subsection.”.

10 (END)

1999

Date (time) needed

LRB - 0906 1 1

BILL

D-Note

JEO & RPN: CMMY: JLG

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] to repeal...; to renumber...; to consolidate and renumber...; to renumber and amend...; to consolidate, renumber and amend...; to amend...; to repeal and recreate...; and to create... of the statutes; relating to:

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

- For the 3 titles used in an analysis, in the component bar: For the main heading [old =M], execute: ... create -> anal: -> title: -> head For the subheading [old =S], execute: ... create -> anal: -> title: -> sub For the sub-subheading [old =P], execute: ... create -> anal: -> title: -> sub-sub

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

SECTION #.



~~ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 733~~

~~March 12, 1998 - Offered by Representatives GRONEMUS, OTT, SYKORA and
HARSDORF~~

~~1 AN ACT to renumber 895.57 (1) (a), 943.75 (1) (a) and 973.075 (1) (b) 3.; to
2 renumber and amend 973.075 (1) (b) (intro.), 973.075 (1) (b) 1. and 973.075
3 (1) (b) 2.; to amend 29.06 (1) (d), 895.57 (title), 895.57 (2), 943.75 (2) and
4 973.075 (5) (intro.); and to create 895.57 (1) (ag), 895.57 (4), 943.75 (1) (ad),
5 943.75 (2m) (b), 973.075 (1) (b) 1m. f. and 973.075 (1) (bm) of the statutes;
6 relating to the unauthorized release of animals, immunity from liability and~~

7 providing a penalty.

ANALYSIS
INSERT

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

~~8 SECTION 1. 29.06 (1) (d) of the statutes, as affected by 1997 Wisconsin Act 35,
9 is amended to read:
10 29.06 (1) (d) The provisions of s. 973.075 (1) (b) 1. to 3. 2m. and (5) apply to
11 vehicles other than motor vehicles under this subsection.~~

INS
1-12

12 SECTION 2. 895.57 (title) of the statutes is amended to read:

INS
-2

1 **895.57 (title) Damages and immunity; unauthorized release of animals.**

2 **SECTION 3.** 895.57 (1) (a) of the statutes is renumbered 895.57 (1) (am).

3 **SECTION 4.** 895.57 (1) (ag) of the statutes is created to read:

4 895.57 (1) (ag) "Animal" means all vertebrate and invertebrate species,
5 including mammals, birds, fish and shellfish but excluding humans.

6 **SECTION 5.** 895.57 (2) of the statutes is amended to read:

Approx. 4. hours

7 895.57 (2) A person who intentionally releases an animal that is lawfully
8 confined for scientific, farming, companionship or protection of persons or property,
9 recreation, restocking, research, exhibition, commercial or educational purposes,
10 acting without the consent of the owner or custodian of the animal, is liable to the
11 owner or custodian of the animal for damages, which punitive damages, attorney fees
12 and interest on the amount of the damages incurred at the rate of 12% per year from
13 the date of the intentional release. The damages awarded shall include the costs of
14 restoring the animal to confinement.

INS
-16

15 **SECTION 6.** 895.57 (4) of the statutes is created to read:

16 ~~895.57 (4) An owner or custodian of a confined animal is immune from civil
17 liability for any damages caused by any security mechanism that is installed to
18 protect the confined animal or the premises containing the animal.~~

INS
-19

19 **SECTION 7.** 943.75 (1) (a) of the statutes is renumbered 943.75 (1) (am).

20 **SECTION 8.** 943.75 (1) (ad) of the statutes is created to read:

21 943.75 (1) (ad) "Animal" means all vertebrate and invertebrate species,
22 including mammals, birds, fish and shellfish but excluding humans.

INS
-23

23 **SECTION 9.** 943.75 (2) of the statutes is amended to read:

24 943.75 (2) Whoever intentionally releases an animal that is lawfully confined
25 for scientific, farming, companionship or protection of persons or property,

1 recreation, restocking, research, exhibition, commercial or educational purposes,
2 acting without the consent of the owner or custodian of the animal, is ~~may be~~
3 penalized as provided in sub. (2m).

4 ~~(2m) (a) Any person who violates sub. (2) before the effective date of this~~
5 ~~paragraph [revisor inserts date], is guilty of a Class C misdemeanor. A, except~~
6 ~~that if the violation is the person's 2nd violation of this section by a sub. (2) the person~~
7 ~~is guilty of a Class A misdemeanor. A and if the violation is the person's 3rd or~~
8 ~~subsequent violation of this section by a sub. (2) the person is guilty of a Class E~~
9 ~~felony.~~

10 SECTION 10. 943.75 (2m) (b) of the statutes is created to read:

11 943.75 (2m) (b) Any person who violates sub. (2) on or after the effective date
12 of this paragraph [revisor inserts date], is guilty of a Class BC felony and shall
13 be sentenced to a term of imprisonment. The court may not place the person on
14 probation.

15 SECTION 11. 973.075 (1) (b) (intro.) of the statutes is renumbered 973.075 (1)

16 (b) 1m. (intro.) and amended to read:

17 973.075 (1) (b) 1m. (intro.) ~~All~~ Except as provided in subd. 2m., all vehicles, as
18 defined in s. 939.22 (44), which are used ~~to~~ in any of the following ways:

19 a. To transport any property or weapon used or to be used or received in the
20 commission of any felony, which are used in.

21 b. In the commission of a crime under s. 946.70, which are used in.

22 c. In the commission of a crime in violation of s. 944.30, 944.31, 944.32, 944.33
23 or 944.34, which are used in.

24 d. In the commission of a crime relating to a submerged cultural resource in
25 violation of s. 44.47 or which are used to.

1 e. To cause more than \$1,000 worth of criminal damage to cemetery property
2 in violation of s. 943.01 (2) (d) or 943.012, but:

3 **SECTION 12.** 973.075 (1) (b) 1. of the statutes is renumbered 973.075 (1) (b) 2m.
4 a. and amended to read:

5 973.075 (1) (b) 2m. a. No vehicle used by any person as a common carrier in the
6 transaction of business as a common carrier is subject to forfeiture under ss. 973.075
7 to 973.077 unless it appears that the owner or other person in charge of the vehicle
8 had knowledge of or consented to the commission of the crime;

9 **SECTION 13.** 973.075 (1) (b) 1m. ^g of the statutes is created to read:

10 973.075 (1) (b) 1m. ^g In the commission of a crime under s. 943.75 (2),

or (2m)

11 **SECTION 14.** 973.075 (1) (b) 2. of the statutes is renumbered 973.075 (1) (b) 2m.

12 b. and amended to read:

13 973.075 (1) (b) 2m. b. No vehicle is subject to forfeiture under ss. 973.075 to
14 973.077 by reason of any act or omission established by the owner of the vehicle to
15 have been committed or omitted without his or her knowledge or consent; and,

16 **SECTION 15.** 973.075 (1) (b) 3. of the statutes is renumbered 973.075 (1) (b) 2m.

17 c.

18 **SECTION 16.** 973.075 (1) (b) ^g of the statutes is created to read:

19 973.075 (1) (b) ^g Any property used or to be used in the commission of a crime
20 under s. 943.75 (2), but if the property is encumbered by a bonafide perfected security
21 interest that was perfected before the date of the commission of the current violation
22 and the holder of the security interest neither had knowledge of nor consented to the
23 commission of that violation, the holder of the security interest shall be paid from the
24 proceeds of the forfeiture.

25 **SECTION 17.** 973.075 (5) (intro.) of the statutes is amended to read:

INS
4-25 ✓

1 973.075 (5) (intro.) All forfeitures under ss. 973.075 to 973.077 shall be made
2 with due provision for the rights of innocent persons under sub. (1) (b) 1. to 3. 2m.,
3 (bm) and (d). Any property seized but not forfeited shall be returned to its rightful
4 owner. Any person claiming the right to possession of property seized may apply for
5 its return to the circuit court for the county in which the property was seized. The
6 court shall order such notice as it deems adequate to be given the district attorney
7 and all persons who have or may have an interest in the property and shall hold a
8 hearing to hear all claims to its true ownership. If the right to possession is proved
9 to the court's satisfaction, it shall order the property returned if:

10

(END) ✓

D. Noble
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ANALYSIS INSERT:

This bill makes the following changes in civil and criminal laws relating to the unauthorized release of animals.

Criminal law changes

Current law prohibits a person from intentionally releasing an animal that is lawfully confined for scientific, farming, restocking, research, exhibition, commercial, educational, recreational, companionship or security purposes if the owner or custodian of the animal does not consent to the release of the animal. The penalty for violating this prohibition depends on whether the person has violated the prohibition before. The penalty for the first violation is a fine of not more than \$500 or imprisonment for not more than 30 days or both. The penalty for the 2nd violation is a fine of not more than \$10,000 or imprisonment for not more than 9 months or both. The penalty for a 3rd or subsequent violation is a fine of not more than \$10,000 or imprisonment for not more than 2 years or both, if the offense occurs before December 31, 1999, or a fine of not more than \$10,000 or imprisonment for not more than 5 years, if the offense occurs on or after December 31, 1999.

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Current law also allows for the forfeiture to the state of certain property connected to criminal activity. Specifically, all of the following property is subject to forfeiture under current law: 1) any property that is directly or indirectly derived from or gained through the commission of any crime; 2) a vehicle used to transport any property or weapon that is used, that will be used or that is received in the commission of a felony; 3) a vehicle used in the commission of certain specified crimes, such as prostitution or impersonating a police officer; 4) certain equipment, such as scuba gear, that is used in the commission of a crime relating to a submerged cultural resource; 5) property used to commit the crime of stalking or to violate certain restraining orders or injunctions; and 6) tank vessels that violate certain environmental protection requirements for tank vessels.

This bill increases the maximum penalty for violating the prohibition against intentionally releasing an animal without the consent of the owner or custodian of the animal if the animal is lawfully confined for scientific, farming, restocking, research or commercial purposes. Under the bill, a person who violates the prohibition by releasing an animal confined for one of these purposes may be fined not more than \$10,000 or imprisoned for not more than 10 years or both, if the offense occurs before December 31, 1999, or may be fined not more than \$10,000 or imprisonment for not more than 15 years, if the offense occurs on or after December 31, 1999. A person who violates the prohibition by releasing an animal that is lawfully confined for other purposes (such as for recreation or companionship) will be subject to the penalties provided under current law.

The bill also allows for the forfeiture of any vehicle that is used, or of any other property that is used or that will be used, to violate the prohibition against intentionally releasing an animal without the consent of the owner or custodian of the animal.

Civil law changes

Under current law, a person who intentionally releases an animal that is lawfully confined is liable to the owner or custodian of the animal for damages, including the costs of restoring the animal to confinement. This bill adds punitive damages, attorney fees and interest on the damages from the date of the release to the damages a person is liable for if he or she intentionally releases an animal that is lawfully confined.

The bill also provides the owner or custodian of a confined animal with immunity from civil liability for any damages caused by any security device (including a guard dog) that he or she installs or uses if he or she reasonably believes the security device is necessary to protect a confined animal or the premises containing a confined animal. Currently, a person is liable for any damages caused by any security device that is installed to protect a confined animal or the premises containing a confined animal if the device is installed negligently or operated in a negligent manner.

1 **INSERT 1-12:**

2 **SECTION 1.** 174.02 (1) (a) of the statutes is amended to read:

3 174.02 (1) (a) *Without notice.* Subject to s. 895.045 and except as provided in
4 s. 895.57 (4), the owner of a dog is liable for the full amount of damages caused by
5 the dog injuring or causing injury to a person, domestic animal or property.

6 History: 1981 c. 285; 1983 a. 451; 1985 a. 92; 1993 a. 154; 1995 a. 181; 1997 a. 141.

7 **SECTION 2.** 174.02 (1) (b) of the statutes is amended to read:

8 174.02 (1) (b) *After notice.* Subject to s. 895.045 and except as provided in s.
9 895.57 (4), the owner of a dog is liable for 2 times the full amount of damages caused
10 by the dog injuring or causing injury to a person, domestic animal or property if the
11 owner was notified or knew that the dog previously injured or caused injury to a
12 person, domestic animal or property.

12 History: 1981 c. 285; 1983 a. 451; 1985 a. 92; 1993 a. 154; 1995 a. 181; 1997 a. 141.

13 **INSERT 2-2:**

14 **SECTION 3.** 895.57 (1) (am) of the statutes, as affected by 1997 Wisconsin Act
15 192 and 1999 Wisconsin Act (this act), is repealed and recreated to read:

16 895.57 (1) (am) "Humane officer" means an officer appointed under s. 173.03.

INSERT 2-16:

895.57 (4) (a) In this subsection, "security device" includes any of the following:

- 1. Any fence enumerated under s. 90.02.
- 2. A theft alarm signal device, a burglar alarm or any other security alarm system or device.
- 3. A dog.

(b) Subject to par. (c), an owner or custodian of a confined animal is immune from civil liability for any damages to a person if all of the following apply:

- 1. The person suffers the damages while violating or attempting to violate s. 943.75 (2m).
- 2. The damages are caused by a security device that is installed or used by the owner or custodian and that the owner or custodian reasonably believes is necessary to protect the confined animal or the premises containing the animal. For purposes of this subdivision, it is not reasonable to install or use a security device that is intended or likely to cause death or great bodily harm, as defined in s. 939.22 (14), for the purpose of protecting a confined animal or the premises containing a confined animal.

(c) If an owner or custodian of a confined animal uses a dog as a security device, the owner or custodian is entitled to immunity under par. (b) only if the dog is on the owner's or custodian's property at the time that it causes the damages.

INSERT 2-19:

SECTION 4. 943.75 (1) (am) of the statutes, as affected by 1997 Wisconsin Act 192 and 1999 Wisconsin Act (this act), is repealed and recreated to read:

943.75 (1) (am) "Humane officer" means an officer appointed under s. 173.03.

INSERT 2-23:

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SECTION 5. 943.75 (2) of the statutes is amended to read:

943.75 (2) Whoever intentionally releases an animal that is lawfully confined for ~~scientific, farming,~~ companionship or protection of persons or property, recreation, ~~restocking, research,~~ exhibition, ~~commercial~~ or educational purposes, acting without the consent of the owner or custodian of the animal, is guilty of a Class C misdemeanor. A 2nd violation of this section by a person is a Class A misdemeanor. A 3rd or subsequent violation of this section by a person is a Class E felony.

History: 1991 a. 20, 269; 1993 a. 27; 1995 a. 79; 1997 a. 27, 192, 248.

SECTION 6. 943.75 (2m) of the statutes is created to read:

943.75 (2m) Whoever intentionally releases an animal that is lawfully confined for scientific, farming, restocking, research or commercial purposes, acting without the consent of the owner or custodian of the animal, is guilty of a Class C felony.

SECTION 7. 943.75 (3) of the statutes is amended to read:

943.75 (3) ~~Subsection~~ Subsections (2) ~~does~~ and (2m) do not apply to any humane officer, local health officer, peace officer, employe of the department of natural resources while on any land licensed under s. 29.865, 29.867, 29.869 or 29.871 or designated as a wildlife refuge under s. 29.621 (1) or employe of the department of agriculture, trade and consumer protection if the officer's or employe's acts are in good faith and in an apparently authorized and reasonable fulfillment of his or her duties. This subsection does not limit any other person from claiming the defense of privilege under s. 939.45 (3).

History: 1991 a. 20, 269; 1993 a. 27; 1995 a. 79; 1997 a. 27, 192, 248.

SECTION 8. 943.75 (4) of the statutes is amended to read:

1 943.75 (4) When the existence of an exception under sub. (3) has been placed
 2 in issue by the trial evidence, the state must prove beyond a reasonable doubt that
 3 the facts constituting the exception do not exist in order to sustain a finding of guilt
 4 under sub. (2) or (2m).

History: 1991 ~~a. 20, 269, 1993 a. 27, 1905~~ ~~79, 1907 a. 27, 192, 248.~~

INSERT 4-25:

6 **SECTION 9.** 973.075 (5) (intro.) of the statutes is amended to read:

7 973.075 (5) (intro.) All forfeitures under ss. 973.075 to 973.077 shall be made
 8 with due provision for the rights of innocent persons under sub. (1) (b) 2m., (bg), (bm)
 9 and (d). Any property seized but not forfeited shall be returned to its rightful owner.
 10 Any person claiming the right to possession of property seized may apply for its
 11 return to the circuit court for the county in which the property was seized. The court
 12 shall order such notice as it deems adequate to be given the district attorney and all
 13 persons who have or may have an interest in the property and shall hold a hearing
 14 to hear all claims to its true ownership. If the right to possession is proved to the
 15 court's satisfaction, it shall order the property returned if:

History: 1981 c. 267; 1985 a. 245, 258; 1987 a. 348; 1989 a. 263; 1993 a. 92, 169, 459, 491; 1995 a. 290, 448; 1997 a. 35, 285.

16 **SECTION 10. Initial applicability.**

17 (1) UNAUTHORIZED RELEASE OF ANIMALS; CRIMINAL PENALTIES. The treatment of
 18 section 943.75 (2) and (2m) of the statutes first applies to offenses committed on the
 19 effective date of this subsection.

20 (2) UNAUTHORIZED RELEASE OF ANIMALS; CIVIL ACTIONS. The treatment of section
 21 895.57 (2) and (4) of the statutes first applies to causes of action accruing on the
 22 effective date of this subsection.

23 **SECTION 11. Effective dates.** This act takes effect on the day after publication,
 24 except as follows:

1 (1) The repeal and recreation of sections 895.57 (1) (am) and 943.75 (1) (am) of
2 the statutes takes effect on December 1, 1999.

D-Note

LRB-0906 1 da

JED & RTN CMH:

jlq

This is a redraft of 1997
Assembly Bill 733. It incorporates } the
assembly in assembly substitute amendment
1 (ASA 1) and assembly amendment
4 to ASA 1.

JED

RTN

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0906/1dn
JEO&RPN:cmh&jlg:hmh

Monday, December 14, 1998

This is a redraft of 1997 Assembly Bill 733. It incorporates changes made by the assembly in assembly substitute amendment 1 (ASA 1) and assembly amendment 4 to ASA 1.

Jefren E. Olsen
Legislative Attorney
266-8906

Robert P. Nelson
Senior Legislative Attorney
267-7511

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 12/14/98

To: Senator Decker

Relating to LRB drafting number: LRB-0906

Topic

Unauthorized release of animals

Subject(s)

Criminal Law - miscellaneous

1. **JACKET** the draft for introduction Decker

in the **Senate** or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Jefren E. Olsen, Legislative Attorney
Telephone: (608) 266-8906