

2001 ASSEMBLY BILL 435

June 5, 2001 – Introduced by Representatives HUNDERTMARK, STARZYK, JESKEWITZ, MUSSER, HAHN, OWENS, ALBERS, NASS, LADWIG, MCCORMICK, AINSWORTH, STONE, VRAKAS, LA FAVE, OTT, TOWNSEND and PETTIS, cosponsored by Senators DARLING, WELCH and SCHULTZ. Referred to Committee on Criminal Justice.

1 **AN ACT** *to renumber and amend* the unnumbered subchapter title preceding
2 943.01, the unnumbered subchapter title preceding 943.10 and the
3 unnumbered subchapter title preceding 943.20; and *to create* subchapter IV
4 of chapter 943 [precedes 943.80] of the statutes; **relating to:** tampering with
5 a security device or surveillance device and providing penalties.

Analysis by the Legislative Reference Bureau

Current law provides various penalties for damaging or misappropriating the property of another. This bill prohibits a person from tampering with a security device or surveillance device that is owned by another by disconnecting, altering, dismantling, damaging, covering up, removing, or destroying the device without the consent of the owner and with the intent either to cause the device to become inoperative or to interfere with or circumvent the operation of the device.

A person who violates the prohibition created in the bill may be fined not more than \$500 or imprisoned for not more than 30 days or both, except that a person may be fined not more than \$10,000 or imprisoned for not more than five years or both if the person violates the prohibition with the intent to make it less likely that another felony will be detected or that a person who commits another felony will be identified with the felony. The bill also provides that a person charged with violating the prohibition created in the bill has a defense to the charge if he or she tampered

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with a surveillance device that is installed or used with the intent to observe any nude or partially nude person without the consent of the person observed.

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

1 **SECTION 1.** The unnumbered subchapter title preceding 943.01 of the statutes
2 is numbered subchapter I and amended to read:

3 **CHAPTER 943**
4 SUBCHAPTER I
5 DAMAGE.

6 **SECTION 2.** The unnumbered subchapter title preceding 943.10 of the statutes
7 is numbered subchapter II and amended to read:

8 **CHAPTER 943**
9 SUBCHAPTER II
10 TRESPASS.

11 **SECTION 3.** The unnumbered subchapter title preceding 943.20 of the statutes
12 is numbered subchapter III and amended to read:

13 **CHAPTER 943**
14 SUBCHAPTER III
15 MISAPPROPRIATION.

16 **SECTION 4.** Subchapter IV of chapter 943 [precedes 943.80] of the statutes is
17 created to read:

18 **CHAPTER 943**
19 SUBCHAPTER IV
20 OTHER CRIMES AGAINST PROPERTY

21 **943.80 Tampering with a surveillance device. (1)** In this section:

