

**2001 DRAFTING REQUEST**

**Bill**

Received: **10/30/2001**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Alvin Ott (608) 266-5831**

By/Representing: **Beata**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Agriculture - animals  
Criminal Law - miscellaneous**

Extra Copies: **rlr  
rct**

Submit via email: **YES**

Requester's email: **Rep.Ott@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Infecting animals; threatening to infect animals

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**Instructions:**

Companion to LRB-3428

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**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>
/?	mdsida 10/31/2001	jdyer 10/31/2001		_____			S&L
/1			jfrantze 10/31/2001	_____	lrb_docadmin 10/31/2001	lrb_docadmin 10/31/2001	

FE Sent For:

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1?	mdsida	1 10/31 jld	10/31	Self 10/31			

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**2001 BILL**

SOON

Regen

1 AN ACT *to create* 943.76 (3) of the statutes; **relating to:** threatening to infect  
2 livestock or wild deer with a contagious or infectious disease and providing  
3 penalties.

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***Analysis by the Legislative Reference Bureau***

Under current law, no person may intentionally introduce a contagious or infectious disease into livestock without the consent of the owner of the livestock or into wild deer without the consent of the department of natural resources (DNR). A person who violates this prohibition may be fined not more than \$10,000 or imprisoned for not more than 15 years or both. This bill prohibits threatening to introduce a contagious or infectious disease into livestock without the consent of the owner of the livestock or into wild deer without the consent of DNR if: 1) the owner of the livestock or DNR is aware of the threat and reasonably believes that the person making the threat will attempt to carry out the threat; or 2) the owner of the livestock or DNR is unaware of the threat, but it would be reasonable for the owner or DNR, if apprised of the threat, to believe that the person making the threat will attempt to carry out the threat. A person who violates this prohibition may be fined not more than \$10,000 or imprisoned for not more than ten years or both.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

## BILL

1 SECTION 1. 943.76 (3) <sup>✓</sup> of the statutes is created to read:

2 943.76 (3) (a) Whoever intentionally threatens to introduce a contagious or  
3 infectious disease into livestock located in this state without the consent of the owner  
4 of the livestock is guilty of a Class D felony if one of the following <sup>applies</sup> ~~apply~~:

5 1. The owner of the livestock is aware of the threat and reasonably believes that  
6 the actor will attempt to carry out the threat.

7 2. The owner of the livestock is unaware of the threat, but if the owner were  
8 apprised of the threat, it would be reasonable for the owner to believe that the actor  
9 would attempt to carry out the threat.

10 (b) Whoever intentionally threatens to introduce a contagious or infectious  
11 disease into wild deer located in this state without the consent of the department of  
12 natural resources is guilty of a Class D felony if one of the following <sup>✓</sup> applies:

13 1. The department of natural resources is aware of the threat and reasonably  
14 believes that the actor will attempt to carry out the threat.

15 2. The department of natural resources is unaware of the threat, but if the  
16 department were apprised of the threat, it would be reasonable for the department  
17 to believe that the actor would attempt to carry out the threat.

18

(END)

**Emery, Lynn**

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**From:** Napralla, Erin  
**Sent:** Wednesday, October 31, 2001 9:11 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB-4153/1 Topic: Infecting animals; threatening to infect animals

It has been requested by <Napralla, Erin> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-4153/1 Topic: Infecting animals; threatening to infect animals