## 2005 ASSEMBLY BILL 663

September 15, 2005 – Introduced by Representatives Pettis, Ott, Nerison, Sheridan, M. Williams and Ziegelbauer, cosponsored by Senators Grothman and Wirch. Referred to Committee on Natural Resources.

AN ACT *to create* 943.13 (1e) (bg), 943.13 (4m) (d) and 943.13 (4m) (dm) of the statutes; **relating to:** creating an exception to the trespass statute for retrieval of hunting dogs.

## Analysis by the Legislative Reference Bureau

Generally under current trespass law, subject to a number of exemptions, a person who enters the property of another, without permission, is subject to a Class B forfeiture. Among the persons who are currently exempt from the trespass law are persons authorized to enter property to remove a wild animal and hunters who enter property that is required to be open for hunting. This bill creates an additional exemption for a person who enters property solely for the purpose of retrieving a hunting dog if the person enters on foot and without a firearm, bow and arrow, or crossbow and if the person leaves the property immediately after retrieving the dog. Under the bill, a person is presumed to have entered the property solely for the purpose of retrieving a hunting dog if the person or someone the person delegates made a reasonable attempt to contact a law enforcement agency that has jurisdiction over the property entered to inform that agency that the person was entering the property for this purpose.

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

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<b>SECTION 1.</b> 943.13 (1e) (bg) of the statutes is created to read:
943.13 (1e) (bg) "Law enforcement agency" means a local governmental unit
of one or more persons employed for the purpose of preventing and detecting crime
and enforcing state laws or local ordinances, employees of which unit are authorized
to make arrests for crimes while acting within the scope of their authority.
<b>SECTION 2.</b> 943.13 (4m) (d) of the statutes is created to read:
943.13 (4m) (d) A person entering property solely for the purpose of retrieving
a hunting dog if all of the following apply:
1. The person enters on foot and without a firearm, bow and arrow, or crossbow.
2. The person leaves the property immediately after retrieving the dog.
<b>SECTION 3.</b> 943.13 (4m) (dm) of the statutes is created to read:
943.13 (4m) (dm) For purposes of par. (d), a person is presumed to have entered
property solely for the purpose of retrieving a hunting dog if the person or someone
the person delegates made a reasonable attempt to contact a law enforcement agency
that has jurisdiction over the property entered in par. (d) to inform the law
enforcement agency that the person was entering the property for this purpose.

(END)