

2005 ASSEMBLY BILL 748

1 **AN ACT** *to amend* 167.31 (4) (a) 4. (intro.) and 167.31 (4) (b); and *to create* 167.31
2 (1) (et), 167.31 (1) (fr), 167.31 (3m) and 167.31 (4) (h) of the statutes; **relating**
3 **to:** discharging a firearm in the direction of an electric or telecommunications
4 transmission facility and providing a penalty.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 2.** 167.31 (1) (et) of the statutes is created to read:
6 167.31 **(1)** (et) “Private security person” has the meaning given in s. 440.26 (1m)
7 (h).
8 **SECTION 2r.** 167.31 (1) (fr) of the statutes is created to read:
9 167.31 **(1)** (fr) “Transmission facility” means any pipe, pipeline, duct, wire,
10 cable, line, conduit, pole, tower, equipment, or other structure used to transmit or

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1 distribute electricity to or for the public or to transmit or distribute communications
2 or data to or from the public.

3 **SECTION 3.** 167.31 (3m) of the statutes is created to read:

4 167.31 **(3m)** PROHIBITIONS; TRANSMISSION FACILITIES. (a) Except as provided in
5 sub. (4) (b) and (h), no person may intentionally discharge a firearm in the direction
6 of a transmission facility.

7 (b) A person who violates par. (a) and causes damage to a transmission facility
8 is subject to a forfeiture of not more than \$100.

9 (c) In addition to any forfeiture imposed under par. (b), the court shall revoke
10 any hunting license under ch. 29 that is issued to the person found in violation for
11 a period of one year.

12 (d) In addition to any forfeiture imposed under par. (b) and the revocation
13 required under par. (c), the court shall enter a restitution order that requires the
14 defendant to pay to the owner of the transmission facility the reasonable cost of the
15 repair or replacement of the transmission facility.

16 **SECTION 4.** 167.31 (4) (a) 4. (intro.) of the statutes is amended to read:

17 167.31 **(4)** (a) 4. (intro.) A private security person, ~~as defined in s. 440.26 (1m),~~
18 who meets all of the following requirements:

19 **SECTION 5.** 167.31 (4) (b) of the statutes is amended to read:

20 167.31 **(4)** (b) Subsections (2) (a), (b) and (c) ~~and~~, (3) (a) and (b), and (3m) do not
21 apply to the holder of a scientific research license under s. 169.25 or a scientific
22 collector permit under s. 29.614 who is using a net gun or tranquilizer gun in an
23 activity related to the purpose for which the license or permit was issued.

24 **SECTION 6.** 167.31 (4) (h) of the statutes is created to read:

