

2009 DRAFTING REQUEST

Bill

Received: 12/04/2009

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Josh Zepnick (608) 266-1707**

By/Representing: **Summer from Plale's office**

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

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Zepnick@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Theft of telecommunication or video services

Instructions:

See attached--identical to -3270/1

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>
/?	chanaman 12/04/2009	nnatzke 12/04/2009		_____			S&L Crime
/1			rschluet 12/04/2009	_____	mbarman 12/04/2009	sbasford 12/29/2009	

FE Sent For:

↳ At Intro.

<END>

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<END>



State of Wisconsin
2009 - 2010 LEGISLATURE

-3945
LRB-3270/1
CMH:kjf:ph
↑
stays

Today please

2009 BILL

Companion
bill
no changes

SAV

↓
refer cot

1 AN ACT *to amend* 943.45 (3) (a), 943.46 (4) (a) and 943.48 (1m) of the statutes;
2 **relating to:** theft of communication and video services, civil damages resulting
3 from the theft of certain services, and providing penalties.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from obtaining without payment telecommunications service and from obtaining without payment video service. A person who violates either prohibition for the first time is subject to a Class C forfeiture. Under this bill, a person who violates either prohibition for the first time is guilty of a Class C misdemeanor.

Under current law if a person who incurs injury as a result of theft of telecommunications service, commercial mobile service, video service, or satellite cable programming prevails in a civil suit against the person who committed the theft, the court must grant the injured person actual damages, costs, and disbursements. The court is not permitted to grant attorney fees unless the person who committed the theft did it willfully and for commercial advantage or was previously convicted for the same violation. This bill permits the court to grant reasonable attorney fees for a first violation without regard to commercial advantage.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

Basford, Sarah

From: Schroeder, Ryan
Sent: Tuesday, December 29, 2009 12:13 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-3945/1 Topic: Theft of telecommunication or video services

Please Jacket LRB 09-3945/1 for the ASSEMBLY. Is there anyway we could get this today (Dec. 29th)

Thanks,
Ryan