2013 DRAFTING REQUEST

В	1	l	
13			

Received:

3/10/2014

Received By:

phurley

Wanted:

As time permits

Same as LRB:

-3369

For:

Glenn Grothman (608) 266-7513

By/Representing:

May Contact:

Drafter:

phurley

Subject:

Criminal Law - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email:

YES

Requester's email:

Sen.Grothman@legis.wisconsin.gov

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Unlawful use of a global positioning device

Instructions:

ASA1 to 2009 ab 171 - d note what this contains and what it does not contain (aa1 to asa 1)

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	<u>Required</u>
/1	phurley 3/10/2014	scalvin 3/10/2014	rschluet 3/10/2014		mbarman 3/10/2014	lparisi 3/10/2014	State S&L Crime

FE Sent For:

At Why

3/14/14

<END>

Crime

2013 DRAFTING REQUEST

Bill								
Receiv	red: 3/10/2	3/10/2014		R	eceived By:	phurley		
Wante	d: As tin	As time permits			ame as LRB:	-3369		
For:	Glenn	Glenn Grothman (608) 266-7513			By/Representing:			
May C	ontact:			D	rafter:	phurley		
Subject: Criminal Law - miscellaneous			A	ddl. Drafters:				
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Unlaw	ful use of a glo	obal positioning	g device					
Instru	ections:							
ASA1	to 2009 ab 17	1 - d note what	this contains a	and what it de	oes not contain	(aa1 to asa 1)		
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Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	Proofed	Submitted	<u>Jacketed</u>	Required	
/1	phurley 3/10/2014	scalvin 3/10/2014	rschluet 3/10/2014		mbarman 3/10/2014		State S&L	

FE Sent For:

<**END>**

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Bill

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Required

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phurley

State

S&L

Crime

FE Sent For:

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State of Misconsin 2013 - 2014 LEGISLATURE LRB-23697 PJH:sac:(5

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2013 BILL

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AN ACT to create 940.315 of the statutes; relating to: unlawful use of a global

positioning device and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits certain uses of a global positioning device (GPS). Under the bill, a person who places a GPS on a vehicle owned by another person without that person's knowledge or who intentionally obtains information regarding another person's movement or location generated by a GPS without that person's knowledge is guilty of a Class A misdemeanor. Additionally, under the bill a person who places a GPS on a vehicle used primarily by his or her spouse without the spouse's knowledge after a petition for an annulment, divorce, or legal separation has been filed is guilty of a Class A misdemeanor.

The bill creates exceptions for a person who installs a subscription-based communication or navigation system, for an employer who places a GPS to track, during business hours, commercial motor vehicles used for his or her business, and for a law enforcement officer acting in his or her official capacity.

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.

BILL

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

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

Section 1. 940.315 of the statutes is created to read:

- 940.315 Global positioning devices. (1) Whoever places a global positioning device on a vehicle owned by another person without that person's knowledge or intentionally obtains information regarding another person's movement or location generated by a global positioning device without that person's knowledge is guilty of a Class A misdemeanor.
- (2) Whoever places a global positioning device on a vehicle used primarily by his or her spouse without that person's knowledge after a petition for an annulment, divorce, or legal separation has been filed is guilty of a Class A misdemeanor.
- (3) This section does not apply to a person, acting within the scope of his or her employment, who installs a subscription-based communication or navigation system, to a law enforcement officer acting in his or her official capacity, or to an employer, as defined in s. 343.245 (1) (b), acting to track the movement or location during business hours of a commercial motor vehicle owned, leased, or assigned for use by the employer.

(END)

Rose, Stefanie

From:

Gibbs, Adam

Sent:

Monday, March 10, 2014 12:36 PM

To:

LRB.Legal

Subject:

Draft Review: LRB -4386/1 Topic: Unlawful use of a global positioning device

Please Jacket LRB -4386/1 for the SENATE.