



2015 SENATE BILL 457

December 18, 2015 – Introduced by Senators WANGGAARD, COWLES, GUDEX and LASEE, cosponsored by Representatives STEFFEN, E. BROOKS, GANNON, KAHL, KREMER, KRUG, KUGLITSCH, T. LARSON, MURPHY, NOVAK, PETERSEN, PETRYK, RIPP, SCHRAA, TAUCHEN, TITTL, WEATHERSTON and ZEPNICK. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT** *to create* 943.01 (2k) and 943.143 of the statutes; **relating to:** trespass
2 and damage to property owned or used by an energy provider and providing a
3 criminal penalty.

Analysis by the Legislative Reference Bureau

This bill increases the criminal penalty for intentionally damaging property from a Class A misdemeanor to a Class H felony if the property damaged is owned, leased, or operated by an energy provider and the actor intended to, or did, cause a substantial interruption of the energy provider's goods or services.

Under the bill, entering a property that is part of an energy plant or electric generation, distribution, or transmission system or part of a natural gas distribution system without lawful authority or the consent of the energy provider that owns, operates, or leases the property is also a Class H felony.

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:

4 **SECTION 1.** 943.01 (2k) of the statutes is created to read:
5 943.01 (**2k**) (a) In this subsection, “energy provider” means any of the following:

SENATE BILL 457**SECTION 1**

1 1. A public utility under s. 196.01 (5) (a) that is engaged in any of the following:

2 a. The production, transmission, delivery, or furnishing of heat, power, or light.

3 b. The transmission or delivery of natural gas.

4 2. A transmission company under s. 196.485 (1) (ge).

5 3. A cooperative association organized under ch. 185 for the purpose of
6 producing or furnishing heat, light, or power for its members.

7 4. A wholesale merchant plan under s. 196.491 (1) (w) that produces nuclear
8 power.

9 5. A decommissioned nuclear power plant.

10 (b) Any person violating sub. (1) under all of the following circumstances is
11 guilty of a Class H felony:

12 1. The property damaged is owned, leased, or operated by an energy provider.

13 2. The actor intended to or did cause substantial interruption or impairment
14 of any service or good provided by the energy provider.

15 **SECTION 2.** 943.143 of the statutes is created to read:

16 **943.143 Criminal trespass to an energy provider property.** (1) In this
17 section:

18 (a) “Energy provider” means any of the following:

19 1. A public utility under s. 196.01 (5) (a) that is engaged in any of the following:

20 a. The production, transmission, delivery, or furnishing of heat, power, or light.

21 b. The transmission or delivery of natural gas.

22 2. A transmission company under s. 196.485 (1) (ge).

23 3. A cooperative association organized under ch. 185 for the purpose of
24 producing or furnishing heat, light, or power for its members.

