

**2015 DRAFTING REQUEST**

**Senate Amendment (SA-AB19)**

Received: 4/13/2015 Received By: phurley  
Wanted: As time permits Same as LRB:  
For: Jerry Petrowski (608) 266-2502 By/Representing: Dan  
May Contact: Drafter: phurley  
Subject: Criminal Law - miscellaneous Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Petrowski@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Global positioning devices

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**Instructions:**

- 1, "on or in"
2. or device with gps

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**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>
/1	phurley 4/13/2015	jdye 4/13/2015			srose 4/13/2015	srose 4/13/2015	

FE Sent For:

<END>

## Hurley, Peggy

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**From:** Alamillo, Daniel  
**Sent:** Monday, April 13, 2015 1:48 PM  
**To:** Hurley, Peggy  
**Subject:** RE: Amendments to AB 19

That sounds good! Both changes in one amendment would be just fine.

Thanks for your help!

Daniel Alamillo  
Office of Senator Jerry Petrowski  
29<sup>th</sup> Senate District  
608.266.2502

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**From:** Hurley, Peggy  
**Sent:** Monday, April 13, 2015 1:47 PM  
**To:** Alamillo, Daniel  
**Subject:** RE: Amendments to AB 19

Thanks, Dan.

The first change is easy enough. For the second, I think adding in "or a device equipped with global positioning technology" works.

Do you want both changes in one amendment, or two separate amendments?

Peggy

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**From:** Alamillo, Daniel  
**Sent:** Monday, April 13, 2015 1:35 PM  
**To:** Hurley, Peggy  
**Subject:** Amendments to AB 19

Hi Peggy,

I would like to make two changes to the language of AB 19, the GPS bill.

First, on line 6, section 1, sub-section (a), would it be possible to change the phrase "device on a vehicle" to "device on or in a vehicle"? Some committee members were concerned that "on" only referred to devices placed on the exterior of a vehicle (i.e. they thought this bill would apply to someone who puts a tracking device on the wheel well of a car, but not apply to someone who puts a tracking device in the glove compartment). I'm hopeful that adding "or in" or "or inside" would remedy this situation.

Second, and this is more of a general language change, would it be possible at places where the phrase "global positioning device" is used, to make it clear that cell phones may also be included under this bill? This change would affect section 1, sub-section (a) and section 1, sub-section (b). Basically, some committee members raised questions about whether a cell phone was, by itself, a global positioning device. While some cell phones are certainly capable of being used as a GPS because they contain GPS technology, they might not be considered a global positioning device. I don't know what the best way to illustrate that change would be, perhaps something

like, "a global positioning device or a device equipped with global positioning technology." This one could take some doing, so let me know what you think.

Thanks for your help, and let me know if you need any further clarifications!

Dan

Daniel Alamillo  
Office of Senator Jerry Petrowski  
29<sup>th</sup> Senate District  
608.266.2502



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBs0026/2  
PJH:kjf:jf

ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 19

February 10, 2015 – Offered by COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY.

1 AN ACT *to create* 940.315 of the statutes; **relating to:** unlawful use of a global  
2 positioning device, and creating a penalty.

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

3 SECTION 1. 940.315 of the statutes is created to read:

4 **940.315 Global positioning devices.** (1) Whoever does any of the following  
5 is guilty of a Class A misdemeanor:

6 (a) Places a global positioning device <sup>on</sup> a vehicle owned or leased by another  
7 person without that person's consent.

8 (b) Intentionally obtains information regarding another person's movement or  
9 location generated by a global positioning device <sup>that</sup> has been placed without that  
10 person's consent.

11 (2) This section does not apply to a motor vehicle manufacturer or a person,  
12 acting within the scope of his or her employment, who installs an in-vehicle

1 subscription based communication or navigation telematics system, to a device  
2 installed by or with the permission of the vehicle owner for automobile insurance  
3 rating, underwriting, or claims handling purposes, to a law enforcement officer  
4 acting in his or her official capacity, to a parent or guardian acting to track the  
5 movement or location of his or her minor child or minor ward, to a lienholder or agent  
6 of a lienholder acting to track the movement or location of a motor vehicle in order  
7 to repossess the motor vehicle, or to an employer or business owner acting to track  
8 the movement or location of a motor vehicle owned, leased, or assigned for use by the  
9 employer or business owner.

10 (END)

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LRBa0052/1

PJH:kjf:jf

**2015 - 2016 LEGISLATURE**

**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 19**

February 10, 2015 - Offered by Representative NEYLON.

At the locations indicated, amend the substitute amendment as follows:

1. Page 2, line 1: delete "subscription based".
2. Page 2, line 1: delete "navigation".

**(END)**

Menu » 2015 » Related Documents » Amendments » AB19 » Amendment AA1-ASA1-AB19



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBa0340/1

PJH:.....

*jld*

SENATE AMENDMENT,  
TO ASSEMBLY BILL 19

*today*

1 At the locations indicated, amend the bill, as shown by assembly substitute  
2 amendment 1 as follows:

3 1. Page 1, line 6: after "device" insert "or a device equipped with global  
4 positioning technology in or". ✓

5 2. Page 1, line 9: after "device" insert "or a device equipped with global  
6 positioning technology". ✓

7 (END)