

State of Wisconsin



2015 Senate Bill 338

Date of enactment: April 2, 2016
Date of publication*: April 3, 2016

2015 WISCONSIN ACT 346

AN ACT to amend 29.083 (1), 29.083 (2) (a) (intro.), 29.083 (2) (a) 5., 29.083 (3) and 29.971 (11r) (a); and to create 29.083 (2) (a) 6., 29.083 (2) (a) 7., 29.083 (2) (a) 8. and 29.971 (11r) (am) of the statutes; relating to: interfering with hunting, fishing, and trapping and providing criminal penalties.

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

SECTION 1. 29.083 (1) of the statutes is amended to read:

29.083 (1) DEFINITION. In this section, “activity associated with lawful hunting, fishing, or trapping” means travel, camping, scouting, target shooting, dog training, animal baiting or feeding, or other acts that are preparatory to lawful hunting, fishing, or trapping and that are done by a hunter, fisher, or trapper or by a member of a hunting, fishing, or trapping party.

SECTION 2. 29.083 (2) (a) (intro.) of the statutes is amended to read:

29.083 (2) (a) (intro.) No person may interfere or attempt to interfere with lawful hunting, fishing, or trapping with the intent to prevent the taking of a wild animal, or intentionally interfere with or intentionally attempt to interfere with an activity associated with lawful hunting, fishing, or trapping, by doing any of the following:

SECTION 3. 29.083 (2) (a) 5. of the statutes is amended to read:

29.083 (2) (a) 5. Disturbing a lawfully placed hunting blind or stand.

SECTION 4. 29.083 (2) (a) 6. of the statutes is created to read:

29.083 (2) (a) 6. Disturbing lawfully placed bait or other material used to feed or attract a wild animal.

SECTION 5. 29.083 (2) (a) 7. of the statutes is created to read:

29.083 (2) (a) 7. Engaging in a series of 2 or more acts carried out over time, however short or long, that show a continuity of purpose and that are intended to impede or obstruct a person who is engaged in lawful hunting, fishing, or trapping, or an activity associated with lawful hunting, fishing, or trapping, including any of the following:

a. Maintaining a visual or physical proximity to the person.

b. Approaching or confronting the person.

c. Photographing, videotaping, audiotaping, or through other electronic means, monitoring or recording the activities of the person. This subd. 7. c. applies regardless of where the act occurs.

d. Causing a person to engage in any of the acts described in subd. 7. a. to c.

SECTION 6. 29.083 (2) (a) 8. of the statutes is created to read:

29.083 (2) (a) 8. Using a drone, as defined in s. 941.292 (1), to conduct any activity prohibited under subsd. 1. to 7.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

SECTION 7. 29.083 (3) of the statutes is amended to read:

29.083 (3) EXEMPTIONS. This section does not apply to actions under sub. (2) (a) 1. to ~~5. 8.~~ performed by wardens and other law enforcement officers if the actions are authorized by law and are necessary for the performance of their official duties.

SECTION 8. 29.971 (11r) (a) of the statutes is amended to read:

29.971 (11r) (a) For the violation of s. 29.083 (2) (a), by a forfeiture of not more than \$500, except as provided in par. (am).

SECTION 9. 29.971 (11r) (am) of the statutes is created to read:

29.971 (11r) (am) 1. For the violation of s. 29.083 (2) (a) by a person who violated s. 29.083 (2) (a) one time within the 5 years immediately preceding the conviction for the current violation, by a fine not to exceed \$1,000 or imprisonment not to exceed 90 days or both.

2. For the violation of s. 29.083 (2) (a) by a person who violated s. 29.083 (2) (a) 2 or more times within the 5 years immediately preceding the conviction for the current violation, by a fine not to exceed \$10,000 or imprisonment not to exceed 9 months or both.

SECTION 10. Initial applicability.

(1) This act first applies to violations committed on the effective date of this subsection, but does not preclude the counting of other violations as prior violations for purposes of sentencing a person.