AN ACT to amend 29.983 (1) (a); and to create 29.983 (1) (c), 29.983 (1) (cg) and 29.983 (1) (cr) of the statutes; relating to: a higher wild animal protection surcharge for the unlawful taking of deer.

Analysis by the Legislative Reference Bureau

This bill increases the wild animal protection surcharge that a court may impose when a person unlawfully hunts, snares, possesses, or controls a deer with large antlers.

Under current law, if a court imposes a fine or forfeiture for the unlawful killing, wounding, catching, taking, trapping, or possession of certain wild animals, the court may impose a wild animal protection surcharge. The statute specifies the amount of the surcharge allowed for each type of wild animal.

This bill allows a court to impose a higher wild animal protection surcharge when it imposes a fine or forfeiture for the unlawful hunting, snaring, possession, or control of a deer with antlers of a certain size. The bill requires the Department of Natural Resources to establish a method for measuring antler size, and specifies the amount of the surcharge for different sizes of antlers. If both a regular and a higher wild animal protection surcharge are allowed, the bill requires a court to impose the higher surcharge.
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.** 29.983 (1) (a) of the statutes is amended to read:

29.983 (1) (a) If a court imposes a fine or forfeiture for a violation of a provision of this chapter or an order issued under this chapter for the unlawful killing, wounding, catching, taking, trapping, or possession of a wild animal specified in par. (b), or any part of such a wild animal, the court may impose a wild animal protection surcharge under ch. 814 that equals the amount specified for the wild animal under par. (b), except as provided in par. (c).

**SECTION 2.** 29.983 (1) (c) of the statutes is created to read:

29.983 (1) (c) If a court imposes a fine for a violation of s. 29.971 (11) and the affected deer has antlers of a size specified in par. (cg), the court shall impose a wild animal protection surcharge under ch. 814 that equals the amount specified in par. (cg) for a deer with that size of antlers. If a wild animal protection surcharge under both pars. (b) and (cg) applies, the court shall impose the applicable wild animal protection surcharge listed under par. (cg).

**SECTION 3.** 29.983 (1) (cg) of the statutes is created to read:

29.983 (1) (cg) The amount of the wild animal protection surcharge imposed under ch. 814 for deer with antlers of the following sizes shall be as follows:

1. For any deer with antlers measuring at least 125 inches but less than 150 inches, not less than $43.75 nor more than $2,000.
2. For any deer with antlers measuring at least 150 inches but less than 170 inches, not less than $2,001 nor more than $5,000.
3. For any deer with antlers measuring 170 inches or more, not less than $5,001 nor more than $10,000.

**SECTION 4.** 29.983 (1) (cr) of the statutes is created to read:

29.983 (1) (cr) The department shall establish a method for measuring the size of the antlers of a deer to determine whether the wild animal protection surcharge amounts listed under par. (cg) apply.

**SECTION 5. Initial applicability.**

(1) This act first applies to violations that occur on the effective date of this subsection.