



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-5267/1
MPG:amn

2017 SENATE BILL 835

February 21, 2018 - Introduced by Senator VINEHOUT, cosponsored by Representative BERCEAU. Referred to Committee on Transportation and Veterans Affairs.

1 **AN ACT to amend** 19.32 (1); and **to create** 19.36 (13n) of the statutes; **relating**
2 **to:** records of railroads regarding trespass.

Analysis by the Legislative Reference Bureau

This bill makes a person who owns or operates a railroad or part of a railroad as a common carrier in Wisconsin subject to the state's public records laws, but only with respect to records that relate to trespassing upon the railroad's tracks, including records related to a citation, arrest, or other action taken against an individual for trespass.

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

3 **SECTION 1.** 19.32 (1) of the statutes is amended to read:
4 19.32 (1) "Authority" means any of the following having custody of a record: a
5 state or local office, elective official, agency, board, commission, committee, council,
6 department or public body corporate and politic created by the constitution or by any
7 law, ordinance, rule or order; a governmental or quasi-governmental corporation
8 except for the Bradley center sports and entertainment corporation; a special

SENATE BILL 835**SECTION 1**

1 purpose district; any court of law; the assembly or senate; a nonprofit corporation
2 which receives more than 50 percent of its funds from a county or a municipality, as
3 defined in s. 59.001 (3), and which provides services related to public health or safety
4 to the county or municipality; a university police department under s. 175.42; a
5 person who owns or operates a railroad or part of a railroad as a common carrier in
6 this state; or a formally constituted subunit of any of the foregoing.

7 **SECTION 2.** 19.36 (13n) of the statutes is created to read:

8 19.36 (13n) RECORDS OF A RAILROAD. A record of an authority who owns or
9 operates a railroad or part of a railroad as a common carrier in this state and who
10 is not otherwise an authority is subject to the right of inspection or copying under s.
11 19.35 (1) only if the record relates to trespassing upon a track of the railroad,
12 including records related to a citation, arrest, or other action taken against an
13 individual for such trespass.

14 (END)