1977 Senate Bill 627   Date published: **May 12, 1978**

CHAPTER 311, Laws of 1977

AN ACT to create 941.36 of the statutes, relating to fraudulent tapping of electricity, gas or water and providing a penalty.

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

SECTION 1. 941.36 of the statutes is created to read:

941.36 Fraudulent tapping of electric wires or gas or water meters or pipes. (1) Whoever, without permission and for the purpose of obtaining electrical current, gas or water with intent to defraud any vendor of electricity, gas or water by doing any of the following, may be fined not more than $500 or imprisoned not more than 30 days or both:

(a) Connects or causes to be connected by wire or any other device with the wire, cables or conductors of any such vendor.

(b) Connects or disconnects the meters, pipes or conduits of the vendor or in any other manner tampers or interferes with the meters, pipes or conduits, or connects with the meters, pipes or conduits by pipes, conduits or other instruments.

(2) The existence of any of the conditions with reference to meters, pipes, conduits or attachments, described in this section, is presumptive evidence that the person to whom gas, electricity or water is at the time being furnished by or through the meters, pipes, conduits or attachments has, with intent to defraud, created or caused to be

created the conditions. The presumption does not apply to any person furnished with gas, electricity or water for less than 31 days or until there has been at least one meter reading.

SECTION 2. **Clarification regarding classification.** On June 1, 1978, the effective date of chapter 173, laws of 1977, relating to the revision of the criminal code, the text of section 941.36 (1) (intro.) of the statutes, as created by this act, shall be amended as follows: the phrase "is guilty of a Class C misdemeanor" shall be substituted for the phrase "may be fined not more than $500 or imprisoned not more than 30 days or both".