

1985 Senate Bill 570

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1985 Wisconsin Act 254

AN ACT to amend 778.25 (title) and 778.25 (2) (e); and to create 48.17 (3), 59.07 (144), 167.32 and 778.25 (1) (a) 3 of the statutes, relating to safety at sporting events held at sports facilities, citation procedures and providing a penalty.

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

SECTION 1. 48.17 (3) of the statutes is created to read:

48.17 (3) SAFETY AT SPORTING EVENTS. Notwithstanding sub. (2), courts of criminal or civil jurisdiction have exclusive jurisdiction in proceedings against children under s. 167.32 or under a local ordinance strictly conforming to s. 167.32. A child convicted of a violation under s. 167.32 or under a local ordinance strictly conforming to s. 167.32 shall be treated as an adult for sentencing purposes.

SECTION 2. 59.07 (144) of the statutes is created to read:

59.07 (144) SAFETY AT SPORTING EVENTS. Enact and enforce an ordinance to prohibit conduct which is the

same as conduct prohibited by s. 167.32 and provide a forfeiture for a violation of the ordinance.

SECTION 3. 167.32 of the statutes is created to read:

167.32 Safety at sporting events. (1) DEFINITIONS. In this section:

(a) "Alcohol beverages" means fermented malt beverages and intoxicating liquor.

(b) "Facility" means building or stadium.

(c) "Fermented malt beverages" has the meaning designated in s. 125.02 (6).

(d) "Intoxicating liquor" has the meaning designated in s. 125.02 (8).

(e) "Passing" includes pushing, pulling, throwing and moving.

(f) "Sports facility" means a facility where sporting events are held, regardless of whether that is the exclusive use of the facility.

(2) **BODY PASSING.** (a) A spectator at a sporting event at a sports facility shall not participate in the process of passing another person above the floor or ground from one location to another.

(b) Paragraph (a) does not apply to the act of a person moving another person in order to render first aid or otherwise assist or care for that other person.

(3) **OBJECT PASSING.** A spectator at a sporting event at a sports facility shall not participate in the process of passing bleachers, seats or other objects in a manner which threatens the safety of other persons.

(4) **ALCOHOL CONSUMPTION.** (a) A spectator shall not bring alcohol beverages into a sports facility where there is a sporting event at the sports facility.

(b) A spectator shall not possess or consume alcohol beverages at a sporting event at a sports facility if the alcohol beverages were brought to the facility as specified in par. (a).

(c) This subsection does not apply to any vendor or other person who brings alcohol beverages into a sports facility with the authorization of the person in charge of the facility.

(5) **FORFEITURE.** Any person who violates sub. (2), (3) or (4) shall forfeit \$50.

(6) **CITATION PROCEDURE.** The state may use the citation procedures under s. 778.25 to enforce this section. A county or municipality may use the citation procedures under s. 778.25 to enforce a local ordinance strictly conforming to this section.

SECTION 4. 778.25 (title) of the statutes is amended to read:

778.25 (title) Citation procedure; certain alcohol beverages, harassment and safety violations.

SECTION 5. 778.25 (1) (a) 3 of the statutes is created to read:

778.25 (1) (a) 3. Under s. 167.32 or under a local ordinance strictly conforming to s. 167.32 brought against an adult in circuit court.

SECTION 6. 778.25 (2) (e) of the statutes is amended to read:

778.25 (2) (e) The maximum forfeiture and penalty assessment for which the defendant might be found liable and other penalties which may be imposed including suspension or revocation under s. 343.30 (6). Suspension or revocation under s. 343.30 (6) is not an option for violation of a statute or ordinance specified under sub. (1) (a) 2 or 3.