

1991 Assembly Bill 739

Date of enactment: **April 16, 1992**
Date of publication*: **April 30, 1992**

1991 WISCONSIN ACT 194

AN ACT to renumber 947.013 (1); to amend 29.05 (1m) and 778.25 (1) (a) 2; and to create 813.125 (5m), 947.013 (1) and 947.013 (1r) and (1t) of the statutes, relating to: harassment and providing penalties.

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

SECTION 1. 29.05 (1m) of the statutes is amended to read:

29.05 (1m) WARRANTS, ARRESTS; HARASSMENT. The department and its wardens may execute and serve warrants and processes issued for violations of s. 947.013 ~~(1)~~ (1m) (b) if the victim of the harassment is intentionally selected because of the victim's race in the same manner as any constable may serve and execute ~~such~~ the process; and may arrest, with or without a warrant, any person detected in the actual violation, or whom the warden has probable cause to believe guilty of a violation of s. 947.013 ~~(1)~~ (1m) (b), whether the violation is punishable by criminal penalties or civil forfeiture and may take ~~such~~ the person before any court in the county where the offense was committed and make a proper complaint. For the purpose of enforcing s. 947.013 ~~(1)~~ (1m) (b), any warden may stop and board any boat and stop any automobile, snowmobile or other vehicle, if the warden reasonably suspects there is a violation of ~~such section s.~~ 947.013 (1m).

SECTION 2. 778.25 (1) (a) 2. of the statutes is amended to read:

778.25 (1) (a) 2. Under s. 947.013 (1m) or a local ordinance strictly conforming to s. 947.013 (1m) brought against an adult in circuit court.

SECTION 3. 813.125 (5m) of the statutes is created to read:

813.125 (5m) CONFIDENTIALITY OF VICTIM'S ADDRESS. The petition under sub. (5) and the court order under sub.

(3) or (4) shall not disclose the address of the alleged victim.

SECTION 4. 947.013 (1) of the statutes is renumbered 947.013 (1m).

SECTION 5. 947.013 (1) of the statutes is created to read:

947.013 (1) In this section:

(a) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.

(b) "Credible threat" means a threat made with the intent and apparent ability to carry out the threat.

SECTION 6. 947.013 (1r) and (1t) of the statutes are created to read:

947.013 (1r) Whoever violates sub. (1m) under all of the following circumstances is guilty of a Class A misdemeanor:

(a) The act is accompanied by a credible threat that places the victim in reasonable fear of death or great bodily harm.

(b) The act occurs while the actor is subject to an order or injunction under s. 813.12, 813.122 or 813.125 that prohibits or limits his or her contact with the victim.

(1t) Whoever violates sub. (1r) is guilty of a Class E felony if the person has a prior conviction under this subsection or sub. (1r) involving the same victim and the present violation occurs within 7 years of the prior conviction.

SECTION 7. Initial applicability. This act first applies to offenses committed on the effective date of this

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SECTION, regardless of the date of the issuance of any order or injunction.
