

# State of Wisconsin



2015 Assembly Bill 547

Date of enactment: **February 29, 2016**

Date of publication\*: **March 1, 2016**

## 2015 WISCONSIN ACT 158

AN ACT *to create* 943.01 (2k) and 943.143 of the statutes; **relating to:** trespass and damage to property owned or used by an energy provider and providing a criminal penalty.

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

**SECTION 1.** 943.01 (2k) of the statutes is created to read:

943.01 (2k) (a) In this subsection, "energy provider" means any of the following:

1. A public utility under s. 196.01 (5) (a) that is engaged in any of the following:

a. The production, transmission, delivery, or furnishing of heat, power, or light.

b. The transmission or delivery of natural gas.

2. A transmission company under s. 196.485 (1) (ge).  
3. A cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, or power for its members.

4. A wholesale merchant plant under s. 196.491 (1) (w), except that "wholesale merchant plant" includes an electric generating facility or an improvement to an electric generating facility that is subject to a leased generation contract, as defined in s. 196.52 (9) (a) 3.

5. A decommissioned nuclear power plant.

(b) Any person violating sub. (1) under all of the following circumstances is guilty of a Class H felony:

1. The property damaged is owned, leased, or operated by an energy provider.

2. The actor intended to or did cause substantial interruption or impairment of any service or good provided by the energy provider.

**SECTION 2.** 943.143 of the statutes is created to read:

**943.143 Criminal trespass to an energy provider property.** (1) In this section:

(a) "Energy provider" means any of the following:

1. A public utility under s. 196.01 (5) (a) that is engaged in any of the following:

a. The production, transmission, delivery, or furnishing of heat, power, or light.

b. The transmission or delivery of natural gas.

2. A transmission company under s. 196.485 (1) (ge).  
3. A cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, or power for its members.

4. A wholesale merchant plant under s. 196.491 (1) (w), except that "wholesale merchant plant" includes an electric generating facility or an improvement to an electric generating facility that is subject to a leased generation contract, as defined in s. 196.52 (9) (a) 3.

5. A decommissioned nuclear power plant.

(b) "Energy provider property" means property that is part of an electric generation, distribution, or transmission system or part of a natural gas distribution system

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

and that is owned, leased, or operated by an energy provider.

(2) Whoever intentionally enters an energy provider

property without lawful authority and without the consent of the energy provider that owns, leases, or operates the property is guilty of a Class H felony.

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