



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBs0184/1
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 433**

November 16, 2015 - Offered by Representative SPREITZER.

1 **AN ACT to amend** 29.083 (1), 29.083 (2) (a) (intro.), 29.083 (2) (a) 5., 29.083 (3)
2 and 29.971 (11r) (a); and **to create** 29.083 (2) (a) 6., 29.083 (2) (a) 7., 29.083 (2)
3 (a) 8. and 29.971 (11r) (am) of the statutes; **relating to:** interfering with
4 hunting, fishing, and trapping and providing criminal penalties.

Analysis by the Legislative Reference Bureau

This substitute amendment makes changes to the laws prohibiting certain activities that interfere with hunting, fishing, and trapping.

Current law prohibits a person from engaging in certain intentional conduct that interferes with lawful hunting, fishing, or trapping. The conduct prohibited under current law (prohibited conduct) includes harassing a wild animal, impeding or obstructing a person who is engaged in lawful hunting, fishing, or trapping, or impeding a person who is engaged in an activity associated with lawful hunting, fishing, or trapping. Current law generally defines an activity associated with lawful hunting, fishing, or trapping, as travel, camping, or other acts that are preparatory to lawful hunting, fishing, or trapping. This substitute amendment expands this definition so that it also includes scouting, target shooting, dog training, and animal baiting or feeding.

The substitute amendment also expands the prohibitions in current law so that a person may not intentionally interfere with or intentionally attempt to interfere

with an activity associated with lawful hunting, fishing, or trapping by engaging in prohibited conduct. The substitute amendment also expands the types of conduct prohibited to include disturbing a lawfully placed hunting stand, disturbing lawfully placed bait or other feed, using a drone under certain circumstances, and engaging in a series of acts that are intended to impede or obstruct a person engaged in lawful hunting, fishing, or trapping or an activity associated with hunting, fishing, or trapping.

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

1 **SECTION 1.** 29.083 (1) of the statutes is amended to read:

2 29.083 (1) DEFINITION. In this section, “activity associated with lawful hunting,
3 fishing, or trapping” means travel, camping, scouting, target shooting, dog training,
4 animal baiting or feeding, or other acts that are preparatory to lawful hunting,
5 fishing, or trapping and that are done by a hunter, fisher, or trapper or by a member
6 of a hunting, fishing, or trapping party.

7 **SECTION 2.** 29.083 (2) (a) (intro.) of the statutes is amended to read:

8 29.083 (2) (a) (intro.) No person may interfere or attempt to interfere with
9 lawful hunting, fishing, or trapping with the intent to prevent the taking of a wild
10 animal, or intentionally interfere with or intentionally attempt to interfere with an
11 activity associated with lawful hunting, fishing, or trapping, by doing any of the
12 following:

13 **SECTION 3.** 29.083 (2) (a) 5. of the statutes is amended to read:

14 29.083 (2) (a) 5. Disturbing a lawfully placed hunting blind or stand.

15 **SECTION 4.** 29.083 (2) (a) 6. of the statutes is created to read:

16 29.083 (2) (a) 6. Disturbing lawfully placed bait or other material used to feed
17 or attract a wild animal.

18 **SECTION 5.** 29.083 (2) (a) 7. of the statutes is created to read:

1 29.083 (2) (a) 7. Engaging or causing a person to engage in a series of 2 or more
2 acts carried out over time, however short or long, that show a continuity of purpose
3 and that are intended to impede or obstruct a person who is engaged in lawful
4 hunting, fishing, or trapping, or an activity associated with lawful hunting, fishing,
5 or trapping, including confronting a person or a group of persons engaged in that
6 lawful activity.

7 **SECTION 6.** 29.083 (2) (a) 8. of the statutes is created to read:

8 29.083 (2) (a) 8. Using a drone, as defined in s. 941.292 (1), to conduct any
9 activity prohibited under subds. 1. to 7.

10 **SECTION 7.** 29.083 (3) of the statutes is amended to read:

11 29.083 (3) EXEMPTIONS. This section does not apply to actions under sub. (2) (a)
12 1. to ~~5.~~ 8. performed by wardens and other law enforcement officers if the actions are
13 authorized by law ~~and are necessary for the performance of their official duties.~~

14 **SECTION 8.** 29.971 (11r) (a) of the statutes is amended to read:

15 29.971 (11r) (a) For the violation of s. 29.083 (2) (a), by a forfeiture of not more
16 than \$500, except as provided in par. (am).

17 **SECTION 9.** 29.971 (11r) (am) of the statutes is created to read:

18 29.971 (11r) (am) 1. For the violation of s. 29.083 (2) (a) by a person previously
19 convicted of violating s. 29.083 (2) (a) one time within the 5 years immediately
20 preceding the conviction for the current violation, by a fine not to exceed \$1,000 or
21 imprisonment not to exceed 90 days or both.

22 2. For the violation of s. 29.083 (2) (a) by a person previously convicted of
23 violating s. 29.083 (2) (a) 2 or more times within the 5 years immediately preceding
24 the conviction for the current violation, by a fine not to exceed \$10,000 or
25 imprisonment not to exceed 9 months or both.

