



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 158
[2015 Assembly Bill 547]

**Trespass and Damage to Property
Owned or Used by an Energy
Provider**

2015 Wisconsin Act 158 provides criminal penalties for intentionally damaging or unlawfully entering certain property of an energy provider, which the Act defines as:

- A public utility that is engaged in the production, transmission, delivery, or furnishing of heat, power, or light, or the transmission or delivery of natural gas.
- An electric transmission company.
- A cooperative association organized for the purpose of producing or furnishing heat, light, or power for its members.
- A wholesale merchant plant.
- A decommissioned nuclear power plant.

INTENTIONALLY DAMAGING PROPERTY

Wisconsin law provides that, whoever intentionally damages any physical property of another without the person's consent is guilty of a Class A misdemeanor, which is punishable with a fine of no more than \$10,000 or imprisonment for no longer than nine months, or both. If the property damaged belongs to a public utility or a common carrier and the damage is of a kind which is likely to impair the services of the public utility or common carrier, the person is guilty of a Class I felony. A Class I felony is punishable with a fine of no more than \$10,000 or imprisonment for no longer than three years and six months, or both.

The Act provides that whoever intentionally damages any physical property of another without the person's consent is guilty of a Class H felony if: (1) the damaged property is owned, leased, or operated by an energy provider; and (2) the actor intended to, or did, cause a substantial interruption of the energy provider's goods or services.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

Under Wisconsin law, a Class H felony is punishable with a fine of no more than \$10,000 or imprisonment for no longer than six years, or both.

UNLAWFULLY ENTERING PROPERTY

Wisconsin law provides that whoever enters any land of another without the person's consent is generally subject to a Class B forfeiture, for which the penalty is a forfeiture of no more than \$1,000.

The Act provides that whoever intentionally enters certain property of an energy provider without lawful authority and without the energy provider's consent is guilty of a Class H felony if: (1) the property is owned, leased, or operated by an energy provider; and (2) the property is part of an electric generation, distribution, or transmission system or is part of a natural gas distribution system.

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Prepared by: Zach Ramirez, Staff Attorney

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