



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 346
[2015 Senate Bill 338]

**Interference with Hunting, Fishing,
or Trapping**

2015 Wisconsin Act 346 makes changes to the laws prohibiting certain intentional conduct that interferes with lawful hunting, fishing, or trapping.

Current law prohibits a person from interfering or attempting to interfere with lawful hunting, fishing, or trapping with the intent to prevent the taking of a wild animal by engaging in certain conduct. This conduct includes harassing a wild animal, impeding or obstructing a person who is engaged in lawful hunting, fishing, or trapping, or impeding or obstructing a person who is engaged in an activity associated with lawful hunting [“prohibited conduct”]. The statute defines “an activity associated with lawful hunting, fishing, or trapping”, to include travel, camping, or other acts that are preparatory to lawful hunting, fishing, or trapping. The Act expands the definition of “an activity associated with lawful hunting or trapping” to also include scouting, target shooting, dog training, and animal baiting or feeding.

Act 346 creates a new prohibition which specifies 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 Act expands the types of prohibited conduct to include all of the following:

- Disturbing a lawfully placed hunting stand;
- Disturbing lawfully placed bait;
- Using a drone under certain circumstances; and
- Engaging in a series of two or more acts, carried out over time, however short or long, that show a continuity of purpose and that are intended to impede or obstruct a person who is engaged in lawful hunting, fishing, or trapping, or an activity associated with lawful hunting, fishing, or trapping, including any of the following: maintaining a visual or physical proximity to the person; approaching or confronting

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>.

the person; photographing, videotaping, audiotaping, or through other electronic means, monitoring or recording the activities of the person, regardless of where the act occurs; and causing a person to engage in any of these acts.

The penalty for a violation of the hunting interference statute, retained by the Act, is a forfeiture of up to \$500. The Act creates new penalties for repeat violations of the statute. Specifically, if a person has previously violated the statute one time within the five years immediately preceding the person's conviction for the current violation, the penalty is a fine of up to \$1,000 or imprisonment of up to 90 days, or both. If a person has previously violated the statute two or more times within the five years immediately preceding the person's conviction for the current violation, the penalty is a fine of up to \$10,000 or imprisonment of up to nine months or both.

Effective date: April 4, 2016. The Act first applies to violations committed on the effective date, but does not preclude the counting of other violations as prior violations for purposes of sentencing a person.

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April 7, 2016

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