



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 353
[2015 Assembly Bill 767]

**Injunctions Against
Harassment and Abuse**

Under certain circumstances, a court may order a domestic violence injunction, child abuse injunction, injunction for individuals at risk, or harassment injunction, which enjoins a person that is subject to the injunction (respondent) from engaging in certain actions against the person who petitioned the court for such an order (petitioner).

2015 Wisconsin Act 353 (the Act) allows a court, when issuing one of the injunctions listed above, to also issue an order for a wireless telephone service provider to transfer the following from the respondent to the petitioner: (1) the right to continue to use one or more telephone numbers indicated by the petitioner; and (2) the financial responsibility associated with the number or numbers to the petitioner. The Act allows the petitioner to request the transfer of each telephone number that he or she, or a minor child in the petitioner's custody, uses.

The order must contain all of the following information:

- The name and billing telephone number of the account holder.
- Each telephone number that will be transferred.
- A statement that the wireless telephone service provider transfer to the petitioner all financial responsibility for, and right to the use of, any telephone number transferred under the Act. The Act defines "financial responsibility" to include monthly service costs and costs associated with any mobile device associated with the number.

The Act requires that a telephone service provider terminate the respondent's use of the telephone number or numbers indicated in the order, and transfer the use of the number or numbers to the petitioner. However, the wireless telephone service provider does not have to

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>.

comply if, within 72 hours after receiving the court's order, it notifies the petitioner that one of the following applies:

- The account holder named in the order has terminated the account.
- A difference in network technology would prevent or impair the functionality of a device on a network if the transfer occurs.
- The transfer would cause a geographic or other limitation on network or service provision to the petitioner.
- Another technological or operational issue would prevent or impair the use of the telephone number if the transfer occurs.

The Act also specifies that a wireless telephone service provider may apply to the petitioner its routine and customary requirements for establishing an account or transferring a number, including requiring the petitioner to provide proof of identification, financial information, and customer preferences. It also provides immunity from civil liability to a wireless telephone service provider for actions it takes in compliance with the court order created under the Act.

Effective date: July 1, 2016.

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April 19, 2016

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