

State of Misconsin 2015 - 2016 LEGISLATURE

LRB-4797/1 ZDW:ahe

2015 SENATE BILL 791

March 21, 2016 – Introduced by Senators VINEHOUT and BEWLEY, cosponsored by Representatives DANOU and BERCEAU. Referred to Committee on Judiciary and Public Safety.

- 1 AN ACT to repeal 192.17 and 192.47; and to amend 175.05 (1) (c) and 440.26 (5)
- 2 (b) of the statutes; **relating to:** eliminating police powers for railway companies.

Analysis by the Legislative Reference Bureau

This bill eliminates the authority of railway companies to appoint and employ railroad police officers. This bill also eliminates the authority of a railroad conductor to arrest passengers. Under current law, railroad police officers have general police powers, including the power to arrest, relating to violations of state law or local ordinance that occur on railroad cars or railway company property.

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

- 4 Section 1. 175.05 (1) (c) of the statutes is amended to read:
- 5 175.05 (1) (c) "Peace officer" includes sheriffs, undersheriffs, deputy sheriffs,
- 6 police officers, railroad police officers appointed under s. 192.47, constables,
- 7 marshals, deputy marshals, and federal law enforcement officers.
- 8 **Section 2.** 192.17 of the statutes is repealed.

SENATE BILL 791

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SECTION 3.	192.47	of the	statutes	is re	pealed.
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SECTION 4. 440.26 (5) (b) of the statutes is amended to read:

440.26 **(5)** (b) The license requirements of this section do not apply to any person employed directly or indirectly by the state or by a municipality, as defined in s. 345.05 (1) (c), or to any employee of a railroad company under s. 192.47, or to any employee of a commercial establishment, while the person is acting within the scope of his or her employment and whether or not he or she is on the employer's premises.

9 (END)