



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-2807/1

MJW:klm

2025 SENATE BILL 236

May 9, 2025 - Introduced by Senators JAMES, MARKLEIN, NASS, PFAFF and RATCLIFF, cosponsored by Representatives SUMMERFIELD, BEHNKE, CALLAHAN, DITTRICH, DOYLE, GREEN, GUNDRUM, MOSES, MURSAU, PENTERMAN, STEFFEN, SUBECK and MELOTIK. Referred to Committee on Judiciary and Public Safety.

AN ACT *to amend* 941.40 (1), 941.40 (2), 941.40 (3) and 941.40 (4) (b) of the statutes; **relating to:** tampering with telecommunication or electric wires and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, misdemeanor penalties apply to a person who interferes with the wires, poles, or other property of any telegraph, telecommunications, electric light, or electric power company under a variety of circumstances. This bill applies the same prohibitions to video service and broadband service lines and property and increases certain misdemeanor penalties to be Class I felonies.

Under current law, it is a Class B misdemeanor for a person who has the right to alter certain property to which any telegraph, telecommunications, electric light, or electric power lines or wires are attached to do so without first giving the relevant company at least 24 hours' notice. This bill applies this prohibition to video service and broadband service provider property.

Under current law, it is a Class B misdemeanor for a person, without the permission of the relevant company, to intentionally break down, interrupt, remove, destroy, disturb, interfere with, or injure any telegraph, telecommunications, electric light, or electric power line, wire, pole, or other property. This bill applies this prohibition to video service and broadband service provider property and increases the penalty from a Class B misdemeanor to a Class I felony.

Under current law, it is a Class A misdemeanor for a person, without the

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permission of the relevant company, to intentionally make a physical electrical connection with any wire, cable, conductor, ground, equipment, facility, or other property of any telegraph, telecommunications, electric light, or electric power company. This bill applies this prohibition to video service and broadband service provider property and increases the penalty from a Class A misdemeanor to a Class I felony.

Under current law, a Class B misdemeanor is punishable by a fine of up to \$1,000 or imprisonment for up to 90 days or both, a Class A misdemeanor is punishable by a fine of up to \$10,000 or imprisonment for up to nine months or both, and a Class I felony is punishable by a fine of up to \$10,000 or imprisonment for up to three years and six months, or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

SECTION 1. 941.40 (1) of the statutes is amended to read:

941.40 (1) Except as provided under sub. (4), any person having the right so to do who intentionally removes or changes any building or other structure or any timber, standing or fallen, to which any telegraph, telecommunications, video service, broadband service, electric light, or electric power lines or wires are in any manner attached, or causes the same to be done, and consequently destroys, disturbs, or injures the wires, poles, or other property of any telegraph, telecommunications, video service, broadband service, electric light, or electric power company, including a cooperative association organized under ch. 185, transacting business in this state, without first giving the company, at its office nearest the place of injury, at least 24 hours' notice thereof, is guilty of a Class B misdemeanor.

SECTION 2. 941.40 (2) of the statutes is amended to read:

941.40 (2) Any person who intentionally breaks down, interrupts, or removes

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any telegraph, telecommunications, video service, broadband service, electric light, or electric power line or wire including grounds or who destroys, disturbs, interferes with, or injures the wires, poles, or other property of any telegraph, telecommunications, video service, broadband service, electric light, or electric power company, including a cooperative association organized under ch. 185, is guilty of a Class ~~B misdemeanor~~ I felony.

SECTION 3. 941.40 (3) of the statutes is amended to read:

941.40 (3) Any person who, for any purpose, intentionally makes or causes to be made a physical electrical connection with any wire, cable, conductor, ground, equipment, facility, or other property of any telegraph, telecommunications, video service, broadband service, electric light, or electric power company, including a cooperative association organized under ch. 185, is guilty of a Class ~~A misdemeanor~~ I felony.

SECTION 4. 941.40 (4) (b) of the statutes is amended to read:

941.40 (4) (b) Subsections (2) and (3) do not apply to a person who acts with the permission of the telegraph, telecommunications, video service, broadband service, electric light, or electric power company, including a cooperative association organized under ch. 185, that owns the wire, pole, cable, conductor, ground, equipment, facility, or other property.

(END)