

State of Wisconsin



2019 Assembly Bill 426

Date of enactment: **November 20, 2019**

Date of publication*: **November 21, 2019**

2019 WISCONSIN ACT 33

AN ACT *to amend* 943.01 (2k) (a) 1. a., 943.01 (2k) (a) 3., 943.143 (1) (a) 1. a., 943.143 (1) (a) 3. and 943.143 (1) (b); and *to create* 943.01 (2k) (a) 6., 943.01 (2k) (c), 943.143 (1) (a) 6. and 943.143 (3) of the statutes; **relating to:** trespassing on the property of an energy provider and providing a penalty.

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

SECTION 1. 943.01 (2k) (a) 1. a. of the statutes is amended to read:

943.01 (2k) (a) 1. a. The production, transmission, delivery, or furnishing of heat, power, ~~or~~ light, or water.

SECTION 2. 943.01 (2k) (a) 3. of the statutes is amended to read:

943.01 (2k) (a) 3. A cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, ~~or~~ power, or water for its members.

SECTION 3. 943.01 (2k) (a) 6. of the statutes is created to read:

943.01 (2k) (a) 6. A company that operates a gas, oil, petroleum, refined petroleum product, renewable fuel, water, or chemical generation, storage transportation, or delivery system that is not a service station, garage, or other place where gasoline or diesel fuel is sold at retail or offered for sale at retail.

SECTION 4. 943.01 (2k) (c) of the statutes is created to read:

943.01 (2k) (c) Paragraph (b) does not apply to any of the following:

1. Any person who is:

- a. Monitoring compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements.

- b. Engaging in picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute including any controversy concerning any of the following: wages or salaries; hours; working conditions; benefits, including welfare, sick leave, insurance, pension or retirement provisions; or the managing or maintenance of collective bargaining agreements and the terms to be included in those agreements.

- c. Engaging in union organizing or recruitment activities that are otherwise lawful including attempting to reach workers verbally, in writing, and in the investigation of non-union working conditions.

2. An exercise of a person's right of free speech or assembly that is otherwise lawful.

SECTION 5. 943.143 (1) (a) 1. a. of the statutes is amended to read:

943.143 (1) (a) 1. a. The production, transmission, delivery, or furnishing of heat, power, ~~or~~ light, or water.

SECTION 6. 943.143 (1) (a) 3. of the statutes is amended to read:

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

943.143 (1) (a) 3. A cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, or power, or water for its members.

SECTION 7. 943.143 (1) (a) 6. of the statutes is created to read:

943.143 (1) (a) 6. A company that operates a gas, oil, petroleum, refined petroleum product, renewable fuel, water, or chemical generation, storage transportation, or delivery system that is not a service station, garage, or other place where gasoline or diesel fuel is sold at retail or offered for sale at retail.

SECTION 8. 943.143 (1) (b) of the statutes is amended to read:

943.143 (1) (b) “Energy provider property” means property that is part of an electric ~~generation, distribution, or transmission system or part of a~~ natural gas, oil, petroleum, refined petroleum product, renewable fuel, water, or chemical generation, transmission, or distribution system and that is owned, leased, or operated by an energy provider.

SECTION 9. 943.143 (3) of the statutes is created to read:

943.143 (3) This section does not apply to any of the following:

(a) Any person who is:

1. Monitoring compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements.

2. Engaging in picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute including any controversy concerning any of the following: wages or salaries; hours; working conditions; benefits, including welfare, sick leave, insurance, pension or retirement provisions; or the managing or maintenance of collective bargaining agreements and the terms to be included in those agreements.

3. Engaging in union organizing or recruitment activities that are otherwise lawful including attempting to reach workers verbally, in writing, and in the investigation of non-union working conditions.

(b) An exercise of a person’s right of free speech or assembly that is otherwise lawful.