



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa0563/1
MLJ:kjf

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 152**

September 27, 2019 - Offered by Representative WICHGERS.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 9: after that line insert:

3 **“SECTION 4m.** 173.22 (4) (b) of the statutes is amended to read:

4 173.22 (4) (b) In the hearing under par. (a), the court shall determine if the
5 animal is needed as evidence or if there is reason to believe that the animal was
6 involved in any crime under s. 944.18 or ch. 951. If the court determines that the
7 animal is needed as evidence or that there is reason to believe that the animal was
8 involved in any crime under s. 944.18 or ch. 951, the court shall order the animal to
9 be retained in custody. If the court determines that the animal is not needed as
10 evidence and that there is not reason to believe that the animal was involved in a
11 crime under s. 944.18 or ch. 951, the court shall order the animal returned to the
12 owner.”.

13 **2.** Page 4, line 7: delete “(b)” and substitute “(c)”.

1 **3.** Page 4, line 9: after that line insert:

2 “**SECTION 8c.** 173.24 (1) of the statutes is amended to read:

3 173.24 (1) A court shall assess the expenses under this section, minus any
4 amounts paid under s. 173.22 (4) (f), in any case in which there has been a search
5 authorized under s. 173.10 or in which an animal has been seized because it is alleged
6 that the animal has been used in or constitutes evidence of any crime under s. 944.18
7 or ch. 951.

8 **SECTION 8f.** 173.24 (3) of the statutes is amended to read:

9 173.24 (3) If the person alleged to have violated s. 944.18 or ch. 951 is found
10 guilty of the violation, the person shall be assessed the expenses under subs. (1) and
11 (2). If the person is not found guilty, the county treasurer shall pay the expenses from
12 the general fund of the county.

13 **SECTION 8m.** 173.41 (5) (a) of the statutes is amended to read:

14 173.41 (5) (a) The department may, by written notice, without prior notice or
15 hearing, suspend a license issued under sub. (2) if, upon inspection of the licensed
16 premises, the department finds any condition that imminently threatens the health,
17 safety, or welfare of any animal on the licensed premises or there is evidence that an
18 act of animal cruelty in violation of ch. 951 or bestiality in violation of s. 944.18 has
19 been committed by the licensee or has occurred on the licensed premises.

20 **SECTION 8p.** 173.41 (13) of the statutes is amended to read:

21 173.41 (13) **REPORTING MISTREATMENT OF DOGS.** If the department has
22 reasonable grounds to believe that a dog in the possession of a person required to be
23 licensed under sub. (2) is being mistreated in violation of 944.18 or ch. 951, the
24 department shall report the information that supports its belief to a humane officer

1 or law enforcement agency with jurisdiction over the area in which the dog is
2 located.”.

3 **4.** Page 7, line 1: delete lines 1 to 4.

4 (END)