



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 169
[2005 Assembly Bill 748]

**Discharging a Firearm Towards a
Transmission Facility**

2005 Wisconsin Act 169 prohibits, in general, a person from intentionally discharging a firearm in the direction of a “transmission facility.”

For purposes of this prohibition, a “transmission facility” is any pipe, pipeline, duct, wire, cable, line, conduit, pole, tower, equipment, or other structure used to transmit or distribute electricity to or for the public or to transmit or distribute communications or data to or from the public.

The prohibition does not apply to any of the following individuals:

- The holder of a scientific research license or a scientific collector permit who is using a net gun or tranquilizer gun in an activity related to purpose for which the license or permit was issued.
- A member of the Armed Forces in the line of duty.
- A member of the National Guard in the line of duty.
- A peace officer in the line of duty.
- A private security person who holds a private detective license or private security permit, holds a certificate of proficiency to carry a firearm, is performing his or her assigned duties or responsibilities, is wearing a uniform that clearly identifies him or her as a private security person, and is in plain view.

The Act establishes that, if a person violates the prohibition created by the Act and causes damage to a transmission facility, the person is subject to all of the following:

- A forfeiture of not more than \$100.

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.state.wi.us/>.

- Revocation of any hunting license under ch. 29, Stats., issued to the person for a period of one year.
- A restitution order issued by the court that requires the defendant to pay to the owner of the transmission facility reasonable cost of the repair or replacement of the transmission facility.

Effective Date: Act 169 takes effect on November 1, 2006.

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