



State of Wisconsin
2015 - 2016 LEGISLATURE

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2015 SENATE BILL 792

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

1 **AN ACT** *to create* 165.70 (1) (f) and 192.49 of the statutes; **relating to:**
2 complaints against railroad police officers.

Analysis by the Legislative Reference Bureau

Under current law, railway companies may employ railroad police officers who 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. Railroad conductors also have the power to arrest passengers on rail cars.

Under this bill, any person believing a railroad employee has improperly exercised police authority may file a complaint with the Department of Justice. DOJ is required to investigate each complaint and refer justified complaints to the district attorney of the county in which the alleged improper exercise of authority occurred.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 165.70 (1) (f) of the statutes is created to read:
4 165.70 (1) (f) Investigate improper exercises of authority granted under s.
5 192.17 or 192.47 and refer its findings to the district attorney of the county in which
6 the alleged improper exercise of authority occurred for prosecution.

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1 **SECTION 2.** 192.49 of the statutes is created to read:

2 **192.49 Complaints.** Any person believing a railroad employee has improperly
3 exercised the authority granted by s. 192.17 or 192.47 may file a complaint with the
4 department of justice. The department of justice shall investigate each complaint
5 and shall refer each complaint that it finds justified to the district attorney of the
6 county in which the alleged improper exercise of authority occurred for prosecution.

7 **(END)**