

Felony Trespass Bill: AB 426

What Is It and Why Does It Matter?

This is an update to allow people to make informed decisions. This is NOT an endorsement of the law nor is it meant to scare, deter or intimidate anyone from exercising “rights of usual occupancy” (Treaty Rights) protected by the 1837 and 1842 treaties.

What is it and what is new about it?

AB 426, known as Felony Trespass Bill, expanded Wisconsin law that prohibited trespassing on land that is owned, leased or operated by energy infrastructure such as electric or natural gas powerplants punishable by up to six years in prison and up to \$10,000 fine. The updated bill expands the definition of “energy infrastructure” to include oil pipelines, electrical transmission lines and water pipelines and affiliated companies.

How can it affect tribal members?

The use of energy corridors (such as pipeline right of ways electrical lines) for anything from hunting to recreationally snowmobiling could constitute as Felony Trespass under the updated law. Additionally, protesting at a worksite, office building, right of way or other land used, leased or owned by an energy company constitutes as Felony Trespass.

Where did it come from?

This bill is similar to others bills proposed across the country that have been written by the American Legislative Exchange Council and other lobbyists like the American Petroleum Institute. The bill was sponsored by Senator Bewley and signed by Governor Evers.

