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(4) "Law enforcement officer" has the meaning assigned under s. 967.02 (5) but does not include a conservation warden appointed under s. 23.10.

(5) "Service dog" means a dog that is trained for the purpose of assisting a person with a sensory, mental, or physical disability or accommodating such a disability.

**History:** 1973 c. 314; 1983 a. 189; 1987 a. 248; 1987 a. 332 s. 54; Stats. 1987 s. 951.01; 1989 a. 223; 1997 a. 27, 192; 1999 a. 83; 2001 a. 56; 2005 a. 353; 2011 a. 32.

**Legislative Council Note, 1973:** The definition of "animal" is based on s. 346.20, Minn. Stats. Anno. (1971). The term includes not only animals strictly so-called but birds and other living warmblooded creatures except people. [Bill 16-S]

**951.015 Construction and application.**

(1) This chapter may not be interpreted as controverting any law regulating wild animals that are subject to regulation under ch. 169, the taking of wild animals, as defined in s. 29.001 (90), or the slaughter of animals by persons acting under state or federal law.

(2) For purposes of enforcing this chapter as to wild animals subject to regulation under ch. 169, a conservation warden has the same powers and duties that a law enforcement officer has under this chapter.

(3) This chapter does not apply to:

(a) Teaching, research, or experimentation conducted pursuant to a protocol or procedure approved by an educational or research institution, and related incidental animal care activities, at facilities that are regulated under 7 USC 2131 to 2159 or 42 USC 289d.

(b) Bona fide scientific research involving species unregulated by federal law.

**History:** 1973 c. 314; 1983 a. 27 s. 2202 (38); 1987 a. 332 s. 54; Stats. 1987 s. 951.015; 1997 a. 248; 2001 a. 56; 2011 a. 32.

Rather than exclude all non-captive wild animals from coverage of ch. 951, the legislature instead prohibits enforcement that controverts ch. 29 and regulations governing "the taking of wild animals." By prohibiting a subset of takings — those that controvert ch. 29 — the legislature necessarily conveys its belief that there are takings that do not controvert ch. 29. *State v. Kuenzi*, 2011 WI App 30, 332 Wis. 2d 297, 796 N.W.2d 222, 09-1827.

Enhancing Animal Welfare Laws. Goode & Aizenberg. Wis. Law. Dec. 2011.

**951.02 Mistreating animals.** No person may treat any animal, whether belonging to the person or another, in a cruel manner. This section does not prohibit normal and accepted veterinary practices.

**History:** 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.02; 1993 a. 486; 2011 a. 32.

Conviction under this section does not require proof of intent or negligence. *State v. Stanfield*, 105 Wis. 2d 553, 314 N.W.2d 339 (1982). "Animal" in this section includes non-captive wild animals, such as the deer in this case. *State v. Kuenzi*, 2011 WI App 30, 332 Wis. 2d 297, 796 N.W.2d 222, 09-1827.

**951.025 Decompression prohibited.** No person may kill an animal by means of decompression.

**History:** 1985 a. 48; 1987 a. 332 s. 54; Stats. 1987 s. 951.025.

**951.03 Dognapping and catnapping.** No person may take the dog or cat of another from one place to another without the owner's consent or cause such a dog or cat to be confined or carried out of this state or held for any purpose without the owner's consent. This section does not apply to law enforcement officers or humane officers engaged in the exercise of their official duties.

**History:** 1973 c. 314 s. 4; Stats. 1973 s. 948.03; 1987 a. 332 s. 54; Stats. 1987 s. 951.03; 1997 a. 192.

**951.04 Leading animal from motor vehicle.** No person shall lead any animal upon a highway from a motor vehicle or from a trailer or semitrailer drawn by a motor vehicle.

**History:** 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.04.

**951.05 Transportation of animals.** No person may transport any animal in or upon any vehicle in a cruel manner.

**History:** 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.05.



History

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**951.07 Use of certain devices prohibited.** No person may directly or indirectly, or by aiding, abetting or permitting the doing thereof, either put, place, fasten, use or fix upon or to any animal used or readied for use for a work purpose or for use in an exhibition, competition, rodeo, circus or other performance, any of the following devices: a bristle bur, tack bur or like device; or a poling device used to train a horse to jump which is charged with electricity or to which have been affixed nails, tacks or other sharp points.

**History:** 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.07.

## 951.08 Instigating fights between animals.

- (1) No person may intentionally instigate, promote, aid or abet as a principal, agent or employee, or participate in the earnings from, or intentionally maintain or allow any place to be used for a cockfight, dog fight, bullfight or other fight between the same or different kinds of animals or between an animal and a person. This section does not prohibit events or exhibitions commonly featured at rodeos or bloodless bullfights.
- (2) No person may own, possess, keep or train any animal with the intent that the animal be engaged in an exhibition of fighting.
- (2m) If a person has been convicted under sub. (1) or (2), the person may not own, possess, keep or train any animal for a period of 5 years after the conviction. In computing the 5-year period, time which the person spent in actual confinement serving a criminal sentence shall be excluded. The person may move the sentencing court to have this requirement waived. The court may waive the requirement except that the waiver may not authorize the person to own, possess, keep or train animals of the species involved in the offense under sub. (1) or (2).
- (3) No person may intentionally be a spectator at a cockfight, dog fight, bullfight or other fight between the same or different kinds of animals or between an animal and a person.

**History:** 1973 c. 314; 1981 c. 160; 1983 a. 95; 1987 a. 332 s. 54; Stats. 1987 s. 951.08.

## 951.09 Shooting at caged or staked animals.

- (1) No person may shoot, kill, or wound with a firearm, or with any deadly weapon, any animal that is tied, staked out, caged or otherwise intentionally confined in an artificial enclosure, regardless of size.
- (2)
  - (a) Whoever is concerned in the commission of a violation of this section is a principal and may be charged with and convicted of the violation although he or she did not directly commit it and although the person who directly committed it has not been convicted of the violation.
  - (b) A person is concerned in the commission of a violation of this section under par. (a) if the person does any of the following:
    1. Instigates, promotes, aids, or abets the violation as a principal, agent, employee, participant, or spectator.
    2. Participates in any earnings from the commission of the violation.
    3. Intentionally maintains or allows any place to be used for the commission of the violation.
  - (3) This section does not apply to any of the following animals:
    - (b) A captive wild bird that is shot, killed, or wounded on a bird hunting preserve licensed under s. 169.19.
    - (c) Farm-raised deer, as defined in s. 95.001 (1) (ag).
    - (d) Animals that are treated in accordance with normally acceptable husbandry practices.

**History:** 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.09; 2001 a. 56.

## 951.095 Harassment of police and fire animals.

- (1) No person may do any of the following to any animal that is used by a law enforcement agency or fire department to perform agency or department functions or duties:
  - (a) Frighten, intimidate, threaten, abuse or harass the animal.
  - (b) Strike, shove, kick or otherwise subject the animal to physical contact.
  - (c) Strike the animal by using a dangerous weapon.
- (2) Subsection (1) does not apply to any of the following:
  - (a) Any act that is performed by or with the authorization of the animal's handler or rider.
  - (b) Any act that is necessary for the training of an animal to perform functions or duties for a law enforcement agency.

**History:** 1993 a. 192; 1997 a. 27.

1. Reckless  safety or the safety of its user.

use jeopardizing its

2. Intentionally interfere with the use of the service dog by obstructing or intimidating it or otherwise jeopardizing its safety or the safety of its user.

(2)

(a) No person may recklessly allow his or her dog to interfere with the use of a service dog by obstructing or intimidating it or otherwise jeopardizing its safety or the safety of its user.

(b) No person may intentionally allow his or her dog to interfere with the use of a service dog by obstructing or intimidating it or otherwise jeopardizing its safety or the safety of its user.

(3)

(a) No person may recklessly injure a service dog or recklessly allow his or her dog to injure a service dog.

(b) No person may intentionally injure a service dog or intentionally allow his or her dog to injure a service dog.

(4)

(a) No person may recklessly cause the death of a service dog.

(b) No person may intentionally cause the death of a service dog.

(5) No person may take possession of or exert control over a service dog without the consent of its owner or user and with the intent to deprive another of the use of the service dog.

**History:** 2005 a. 353.

#### 951.10 Sale of baby rabbits, chicks and other fowl.

(1) No person may sell, offer for sale, barter or give away living chicks, ducklings or other fowl unless the person provides proper brooder facilities for the care of such chicks, ducklings or other fowl during the time they are in the person's possession.

(2) No retailer, as defined in s. 100.30 (2) (e), may sell, offer for sale, barter or give away living baby rabbits, baby chicks, ducklings or other fowl under 2 months of age in any quantity less than 6 unless in the business of selling these animals for agricultural, wildlife or scientific purposes.

**History:** 1973 c. 314; 1979 c. 34 s. 2102 (3) (a); 1979 c. 176; 1983 a. 189 s. 329 (20); 1987 a. 332 s. 54; Stats. 1987 s. 951.10; 1993 a. 486.

**951.11 Artificially colored animals; sale.** No person may sell, offer for sale, raffle, give as a prize or premium, use as an advertising device or display living chicks, ducklings, other fowl or rabbits that have been dyed or otherwise colored artificially.

**History:** 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.11.

**951.13 Providing proper food and drink to confined animals.** No person owning or responsible for confining or impounding any animal may fail to supply the animal with a sufficient supply of food and water as prescribed in this section.

(1) **FOOD.** The food shall be sufficient to maintain all animals in good health.

(2) **WATER.** If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

**History:** 1973 c. 314; 1983 a. 95; 1987 a. 332 s. 54; Stats. 1987 s. 951.13.

**951.14 Providing proper shelter.** No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this section. In the case of farm animals, nothing in this section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.

(1) **INDOOR STANDARDS.** Minimum indoor standards of shelter shall include:

(a) *Ambient temperatures.* The ambient temperature shall be compatible with the health of the animal.

(b) *Ventilation.* Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.

(2) **OUTDOOR STANDARDS.** Minimum outdoor standards of shelter shall include:



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2013-14 Wisconsin Statutes updated through 2015 Wis. Act 392 and all Supreme Court and Controlled Substances Board Orders effective on or before November 21, 2016. Published and [certified](#) under s. 35.18. Changes effective after November 21, 2016 are designated by NOTES. (Published 11-21-16)

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