

**1999 DRAFTING REQUEST**

**Bill**

Received: **01/21/99**

Received By: **nelsorp1**

Wanted: **As time permits**

Identical to LRB:

For: **Terry Musser (608) 266-7461**

By/Representing: **Marlene**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Contributiions to crime prevention organizations be persons convicted of crime

**Instructions:**

See 97-3897

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nelsorp1 01/24/99 olsenje 01/26/99 nelsorp1 01/27/99	jgeller 01/31/99		_____			
/P1			martykr 01/31/99	_____	lrb_docadmin 01/31/99		
/1	nelsorp1 02/17/99 olsenje	wjackson 02/17/99	jfrantze 02/18/99	_____	lrb_docadmin 02/18/99		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typist</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	02/17/99			_____			
/2	nelsorp1 02/24/99	wjackson 02/24/99	martykr 02/24/99	_____	lrb_docadmin 02/24/99	lrb_docadmin 02/26/99	

FE Sent For: 3/16/99

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		<i>1/2 2/24/99 wlj</i>	<i>km 2/24</i>	<i>DS</i>	<i>km 2/24</i>		

2/18/99 9:00:24 AM

Page 2.

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02/17/99

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	nelsorp1 01/27/99	1 WJ 2/17		_____			
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FE Sent For:			JB 1/18	JB LP 1/18			

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17	nelsorp1	pl wlj 1/28 pl jlg 1/31	km 1/31	qs km 1/31	<i>Please submit</i>		

FE Sent For:

<END>



State Representative

**TERRY MUSSER**

92<sup>nd</sup> Assembly District

Chair, Assembly Committee on Veterans and Military Affairs



January 20 1999

Bob.....

Here is a draft from last session that we want re-drafted with these changes

- ✓ 1. add that a clerk of circuit court may not accept a contribution unless it is case related line 12 ??
- ✓ 2. also that a contribution cannot be made in lieu of forfeiture/fine /court costs or assessments
- ✓ 3 add that the name of organization and names of their officers be included in report line 24 ??

Thanks

A handwritten signature in black ink, appearing to read 'Marlene', written in a cursive style. The signature is positioned above the typed name 'Marlene @ mussers'.

Marlene @ mussers

Madison Office: PO Box 8953, Madison, WI 53708 608-266-7461 Toll Free: 1-888-534-0092  
Fax: 608-282-3692 E-Mail: rep.musser@legis.state.wi.us

District Office: W13550 Murray Road, Black River Falls, WI 54615 608-488-2955

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3897/P1dn

RPN:jlg:lp

Monday, December 8, 1997

I did not make the change prohibiting the court in criminal cases from ordering a payment to a crime prevention organization unless a person is convicted because a person currently cannot be ordered to make a contribution in criminal cases unless he or she is convicted or has admitted his or her guilt to the court. I did add language about prosecutors and attorneys representing the state and political subdivisions to prevent them from obtaining moneys from persons in exchange for not charging, which is something the courts will never be able to review. Look at the language I added regarding the prohibition of payments unless the crime prevention organization complies with the reporting requirements. OK?

Robert P. Nelson  
Senior Legislative Attorney  
267-7511



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1 **AN ACT to amend 753.40, 755.20, 973.06 (1) (f) and 973.09 (1x); and to create**  
2 **757.17, 778.027 and 967.057 of the statutes; relating to: contributions to crime**  
3 **prevention organizations.**

---

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.

---

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

4 **SECTION 1.** 753.40 of the statutes is amended to read:  
5 **753.40 Contributions to crime prevention organizations.** A circuit court  
6 may require a person violating an ordinance that prohibits conduct that is the same  
7 as or similar to conduct prohibited by state statute punishable by fine or  
8 imprisonment to make a contribution not to exceed the maximum amount of the  
9 forfeiture which may be levied to a crime prevention organization if the court  
10 determines that the violator has the financial ability to make the contribution. All  
11 contributions made under this section shall be made to the clerk of circuit court for  
12 distribution to crime prevention organizations. A circuit court may not require a  
13 person to make a contribution to a crime prevention organization under this section

1 if the person is not convicted of an ordinance violation. The circuit court may not  
2 require a person to make a contribution to a crime prevention organization that has  
3 not complied with the provisions of s. 757.17.

4 SECTION 2. 755.20 of the statutes is amended to read:

5 **755.20 Contributions to crime prevention organizations.** A municipal  
6 court may require a person violating an ordinance that prohibits conduct that is the  
7 same as or similar to conduct prohibited by state statute punishable by fine or  
8 imprisonment to make a contribution not to exceed the maximum amount of the  
9 forfeiture which may be levied to a crime prevention organization if the court  
10 determines that the violator has the financial ability to make the contribution. All  
11 contributions made under this section shall be made to the municipal court for  
12 distribution to crime prevention organizations. A municipal court may not require  
13 a person to make a contribution to a crime prevention organization under this section  
14 if the person is not convicted of an ordinance violation. The municipal court may not  
15 require a person to make a contribution to a crime prevention organization that has  
16 not complied with the provisions of s. 757.17.

17 SECTION 3. 757.17 of the statutes is created to read:

18 **757.17 Crime prevention organization reporting.** Every organization  
19 that receives contributions under s. 753.40, 755.20, 973.06 (1) (f) or 973.09 (1x) shall  
20 submit a report annually by February 1 to the clerk of the court that ordered the  
21 contribution. The report shall be on a form designed and provided by the director of  
22 state courts and shall include all of the following information for the calendar year  
23 preceding the submittal of the report:

24 (1) The amount of contributions received.

25 (2) The names of the persons who made the contributions.

1 (3) The expenditures made with the contributions.

2 (4) The balance of the contributions remaining.

3 SECTION 4. 778.027 of the statutes is created to read:

4 **778.027 Dismissals for contributions to crime prevention**  
5 **organizations.** A prosecutor or an attorney representing the state or a political  
6 subdivision of the state may not dismiss or amend a citation or complaint alleging  
7 a violation that will result in a forfeiture in exchange for a person's payment of a  
8 contribution to a crime prevention organization.

9 SECTION 5. 967.057 of the statutes is created to read:

10 **967.057 Dismissals for contributions to crime prevention**  
11 **organizations.** A prosecutor may not dismiss or amend a charge alleging a criminal  
12 offense in exchange for a person's payment of a contribution to a crime prevention  
13 organization.

14 SECTION 6. 973.06 (1) (f) of the statutes is amended to read:

15 973.06 (1) (f) An amount determined by the court to make a reasonable  
16 contribution to a crime prevention organization, if the court determines that the  
17 person has the financial ability to make the contribution and the contribution is  
18 appropriate. All contributions made under this paragraph shall be made to the clerk  
19 of circuit court for distribution to crime prevention organizations. The court may not  
20 order <sup>allow</sup> a person to make a contribution <sup>under this paragraph</sup> to a crime prevention organization that has  
21 not complied with the provisions of s. 757.17.

22 SECTION 7. 973.09 (1x) of the statutes is amended to read:

23 973.09 (1x) If the court places a person on probation, the court may require that  
24 the probationer make a contribution to a crime prevention organization if the court  
25 determines that the probationer has the financial ability to make the contribution.

1 All contributions made under this paragraph shall be made to the clerk of circuit  
 2 court for distribution to crime prevention organizations. The court may not ~~authorize~~  
 3 ~~allow~~ a person to make a contribution to a crime prevention organization that has not  
 4 complied with the provisions of s. 757.17.

5

(END)

of which  
 that is not organized to prevent the type of  
 crime the person was convicted.

that prevents crimes other than that crime convicted  
 of by a defendant person

that tries to reduce the conduct that  
 results in the type of crime of which  
 a person is convicted

The court may only order a person  
 to make a contribution under this section  
 to an organization whose goal is to help persons  
 avoid the specific type of behavior that  
 resulted in the person being convicted  
 of the crime.

1903/P1  
WJ  
Jg

D-Note

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1 AN ACT <sup>REGEN</sup> to amend 753.40, 755.20, 973.06 (1) (f) and 973.09 (1x); and to create  
2 757.17, 778.027 and 967.057 of the statutes; relating to: contributions to crime  
3 prevention organizations.

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.

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

4 SECTION 1. 753.40<sup>✓</sup> of the statutes is amended to read:  
5 **753.40 Contributions to crime prevention organizations.** A circuit court  
6 may require a person violating an ordinance that prohibits conduct that is the same  
7 as or similar to conduct prohibited by state statute punishable by fine or  
8 imprisonment to make a contribution not to exceed the maximum amount of the  
9 forfeiture which may be levied to a crime prevention organization if the court  
10 determines that the violator has the financial ability to make the contribution. <sup>Insert A ✓</sup> All  
11 contributions made under this section shall be made to the clerk of circuit court for  
12 distribution to <sup>the</sup> crime prevention organizations. <sup>9. keep period</sup> A circuit court may not require a  
13 person to make a contribution to a crime prevention organization under this section

WFO: Please proof w/stats.

Please proof w/stats.

1 if the person is not convicted of an ordinance violation. The circuit court may not  
2 require a person to make a contribution to a crime prevention organization that has  
3 not complied with the provisions of s. 757.17. *under this section*

4 SECTION 2. 755.20 of the statutes is amended to read:

5 **755.20 Contributions to crime prevention organizations.** A municipal  
6 court may require a person violating an ordinance that prohibits conduct that is the  
7 same as or similar to conduct prohibited by state statute punishable by fine or  
8 imprisonment to make a contribution not to exceed the maximum amount of the  
9 forfeiture which may be levied to a crime prevention organization, if the court  
10 determines that the violator has the financial ability to make the contribution. *insert A*

11 contributions made under this section shall be made to the municipal court for  
12 distribution to ~~the~~ crime prevention organizations. *the* A municipal court may not require  
13 a person to make a contribution to a crime prevention organization under this section  
14 if the person is not convicted of an ordinance violation. The municipal court may not  
15 require a person to make a contribution to a crime prevention organization that has  
16 not complied with the provisions of s. 757.17. *under this section*

17 SECTION 3. 757.17 of the statutes is created to read:

18 ✓ **757.17 Crime prevention organization reporting.** Every organization  
19 that receives contributions under s. 753.40, 755.20, 973.06 (1) (f) or 973.09 (1x) shall  
20 submit a report annually by February 1 to the clerk of the court that ordered the  
21 contribution. The report shall be on a form designed and provided by the director of  
22 state courts and shall include all of the following information for the calendar year  
23 preceding the submittal of the report:

- 24 (1) The amount of contributions received.
- 25 (2) The names of the persons who made the contributions.



**SECTION 3**

*and the names of the officers of the organization*

1 (3) The expenditures made with the contributions.

2 (4) The balance of the contributions remaining.

3 (5) The name of the organization that received the contribution.  
SECTION 4. 778.027 of the statutes is created to read:

4 778.027 Dismissals for contributions to crime prevention

5 organizations. A prosecutor or an attorney representing the state or a political

6 subdivision of the state may not dismiss or amend a citation or complaint alleging

7 a violation that will result in a forfeiture in exchange for a person's payment of a

8 contribution to a crime prevention organization.

9 SECTION 5. 967.057 of the statutes is created to read:

10 967.057 Dismissals for contributions to crime prevention

11 organizations. A prosecutor may not dismiss or amend a charge alleging a criminal

12 offense in exchange for a person's payment of a contribution to a crime prevention

13 organization.

14 SECTION 6. 973.06 (1) (f) of the statutes is amended to read:

15 973.06 (1) (f) An amount determined by the court to make a reasonable

16 contribution to a crime prevention organization, if the court determines that the

17 person has the financial ability to make the contribution and the contribution is

18 appropriate. *insert B* All contributions made under this paragraph shall be made to the clerk

19 of circuit court for distribution to *the* crime prevention organizations. The court may not

20 order a person to make a contribution *under this paragraph* to a crime prevention organization that has

21 not complied with the provisions of s. 757.17.

22 SECTION 7. 973.09 (1x) of the statutes is amended to read:

23 973.09 (1x) If the court places a person on probation, the court may require that

24 the probationer make a contribution to a crime prevention organization if the court

25 determines that the probationer has the financial ability to make the contribution. *insert C*

*Please proof w/stats.*

Please Print  
w/ Stats.

- 1
- 2
- 3
- 4
- 5

*Subsection* ✓

All contributions made under this ~~paragraph~~ shall be made to the clerk of circuit court for distribution to <sup>the</sup> crime prevention organizations. The court may not require a person to make a contribution <sup>under this subsection</sup> to a crime prevention organization that has not complied with the provisions of s. 757.17. ✓

✓(END)

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1903/?ins  
RPN & JEO.....

1 insert A:

2 *No ff* The court may only order a person to make a contribution under this section to ✓ ✓  
3 a crime prevention organization whose goal is to enable persons to avoid or to prevent  
4 persons from engaging in the specific behavior that resulted in the person being  
5 convicted.

6

7 insert B:

8 *No ff* The court may only order a person to make a contribution under this paragraph ✓ ✓  
9 to a crime prevention organization whose goal is to enable persons to avoid or to  
10 prevent persons from engaging in the specific behavior that resulted in the person  
11 being convicted.

12

13 insert C:

14 *No ff* The court may only order a person to make a contribution under this subsection ✓ ✓  
15 to a crime prevention organization whose goal is to enable persons to avoid or to  
16 prevent persons from engaging in the specific behavior that resulted in the person  
17 being convicted.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1903/?dn

RPN.../:...  
Wlj

+  
Lg

I was unable to comply with your request to require that contributions cannot be made in lieu of a forfeiture, fine or court costs. In most cases the ordering of a forfeiture or fine is discretionary, so one would never know if the contribution was made in lieu of that penalty. Generally, payment to a crime prevention organization is part of the court costs, so it is inappropriate to prohibit that payment in lieu of itself. I am not sure if the other changes I made fulfill your intent, so please read this draft carefully.

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Senior Legislative Attorney  
Phone: (608) 267-7511

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1903/P1dn  
RPN:wlj&jlg:km

January 31, 1999

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Phone: (608) 267-7511

- 1903/P1

2/16 Cheryl - want to  
require that there be a  
case be before the judge,  
not that the money  
collected goes to an  
organization trying to  
prevent a kind of  
violation involved. To help  
prevent prosecutors from  
not bringing an action  
in exchange for some  
prevention organization  
payment.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1903/P1  
RPN&JEO:wlj&jlg:km

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Regen

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5 **753.40 Contributions to crime prevention organizations.** <sup>if a</sup> A circuit court  
6 <sup>finds in a forfeiture action that</sup> may require a person <sup>violated</sup> violating an ordinance that prohibits conduct that is the same  
7 as or similar to conduct prohibited by state statute punishable by fine or  
8 <sup>the circuit court may require the person</sup> imprisonment to make a contribution not to exceed the maximum amount of the  
9 forfeiture which may be levied to a crime prevention organization if the court  
10 determines that the violator has the financial ability to make the contribution. ~~The~~

Insert  
An L

1 court may only order a person to make a contribution under this section to a crime  
 2 prevention organization whose goal is to enable persons to avoid or to prevent  
 3 persons from engaging in the specific behavior that resulted in the person being  
 4 convicted. All contributions made under this section shall be made to the clerk of  
 5 circuit court for distribution to the crime prevention organization. A circuit court  
 6 may not require a person to make a contribution to a crime prevention organization  
 7 under this section if the person is not convicted of an ordinance violation. The circuit  
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 9 prevention organization that has not complied with the provisions of s. 757.17.

10 SECTION 2. 755.20 of the statutes is amended to read:

11 **755.20 Contributions to crime prevention organizations.** <sup>If a</sup> ~~A~~ municipal  
 12 court <sup>↓</sup> ~~may require~~ <sup>↓ finds in a forfeiture action that</sup> a person <sup>↑</sup> ~~violating~~ <sup>↓ violated</sup> an ordinance that prohibits conduct that is the  
 13 same as or similar to conduct prohibited by state statute punishable by fine or  
 14 <sup>↓ the municipal court may require the person</sup> imprisonment to make a contribution not to exceed the maximum amount of the  
 15 forfeiture which may be levied to a crime prevention organization if the court  
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 20 convicted. All contributions made under this section shall be made to the municipal  
 21 court for distribution to the crime prevention organization. A municipal court may  
 22 not require a person to make a contribution to a crime prevention organization under  
 23 this section if the person is not convicted of an ordinance violation. The municipal  
 24 court may not require a person to make a contribution under this section to a crime  
 25 prevention organization that has not complied with the provisions of s. 757.17.



1           **SECTION 3.** 757.17 of the statutes is created to read:

2           **757.17 Crime prevention organization reporting.** Every organization  
3 that receives contributions under s. 753.40, 755.20, 973.06 (1) (f) or 973.09 (1x) shall  
4 submit a report annually by February 1 to the clerk of the court that ordered the  
5 contribution. The report shall be on a form designed and provided by the director of  
6 state courts and shall include all of the following information for the calendar year  
7 preceding the submittal of the report:

8           (1) The amount of contributions received.

9           (2) The names of the persons who made the contributions.

10          (3) The expenditures made with the contributions.

11          (4) The balance of the contributions remaining.

12          (5) The name of the organization that received the contribution and the names  
13 of the officers of the organization.

14          **SECTION 4.** 778.027 of the statutes is created to read:

15          **778.027 Dismissals for contributions to crime prevention**  
16 **organizations.** A prosecutor or an attorney representing the state or a political  
17 subdivision of the state may not dismiss or amend a citation or complaint alleging  
18 a violation that will result in a forfeiture in exchange for a person's payment of a  
19 contribution to a crime prevention organization.

20          **SECTION 5.** 967.057 of the statutes is created to read:

21          **967.057 Dismissals for contributions to crime prevention**  
22 **organizations.** A prosecutor may not dismiss or amend a charge alleging a criminal  
23 offense in exchange for a person's payment of a contribution to a crime prevention  
24 organization.

25          **SECTION 6.** 973.06 (1) (f) of the statutes is amended to read:



1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1903/lins  
RPN&JEO:wlj&jlg:km

*Insert  
AOL*

Under current law, a court may require a person <sup>who</sup> ~~violating~~ <sup>es</sup> certain ordinances or <sup>who</sup> ~~committing~~ a crime to make a contribution to a crime prevention organization if the court determines that the person has the financial ability to make the contribution. If the case involves an ordinance violation, the contribution ordered may not exceed the maximum amount of the forfeiture that may be imposed for the violation. If the case involves a criminal offense, the contribution ordered must be reasonable and appropriate.

This bill prohibits a court from ordering a contribution to a crime prevention organization if the organization fails to annually report to the clerk of the court the amount of all contributions received during the preceding year, the names of contributors, the use of the contributions, the balance of the contributions remaining and the name and officers of the crime prevention organization. The bill also requires that the contributions be paid to the clerk of the court that ordered the contribution for distribution to the crime prevention organization. The bill prohibits the prosecutor from dismissing or amending a citation, complaint or charge in exchange for a person's payment of a contribution to a crime prevention organization.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1903/A  
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1999 BILL

1 AN ACT <sup>Regen</sup> to amend 753.40, 755.20, 973.06 (1) (f) and 973.09 (1x); and to create  
2 757.17, 778.027 and 967.057 of the statutes; relating to: contributions to crime  
3 prevention organizations.

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*Analysis by the Legislative Reference Bureau*

Under current law, a court may require a person who violates certain ordinances or who commits a crime to make a contribution to a crime prevention organization if the court determines that the person has the financial ability to make the contribution. If the case involves an ordinance violation, the contribution ordered may not exceed the maximum amount of the forfeiture that may be imposed for the violation. If the case involves a criminal offense, the contribution ordered must be reasonable and appropriate.

This bill prohibits a court from ordering a contribution to a crime prevention organization if the organization fails to annually report to the clerk of the court the amount of all contributions received during the preceding year, the names of contributors, the use of the contributions, the balance of the contributions remaining and the name and officers of the crime prevention organization. The bill also requires that the contributions be paid to the clerk of the court that ordered the contribution for distribution to the crime prevention organization. The bill prohibits the

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prosecutor from dismissing or amending a citation, complaint or charge in exchange for a person's payment of a contribution to a crime prevention organization.

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

1           **SECTION 1.** 753.40 of the statutes is amended to read:

2           **753.40 Contributions to crime prevention organizations.** ~~A~~ If a circuit  
3 court may require ~~finds in a forfeiture action that~~ a person violating ~~violated~~ an  
4 ordinance that prohibits conduct that is the same as or similar to conduct prohibited  
5 by state statute punishable by fine or imprisonment, ~~the circuit court may require~~  
6 the person to make a contribution not to exceed the maximum amount of the  
7 forfciture which may be levied to a crime prevention organization if the court  
8 determines that the violator has the financial ability to make the contribution. ~~All~~  
9 contributions made under this section shall be made to the clerk of circuit court for  
10 distribution to the crime prevention organization. ~~A circuit court may not require~~  
11 a person to make a contribution to a crime prevention organization under this section  
12 if the person is not convicted of an ordinance violation. ~~The circuit court may not~~  
13 require a person to make a contribution under this section to a crime prevention  
14 organization that has not complied with the provisions of s. 757.17.

15           **SECTION 2.** 755.20 of the statutes is amended to read:

16           **755.20 Contributions to crime prevention organizations.** ~~A~~ If a  
17 municipal court may require ~~finds in a forfeiture action that~~ a person violating  
18 violated an ordinance that prohibits conduct that is the same as or similar to conduct  
19 prohibited by state statute punishable by fine or imprisonment, ~~the municipal court~~  
20 may require the person to make a contribution not to exceed the maximum amount  
21 of the forfeiture which may be levied to a crime prevention organization if the court

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1 determines that the violator has the financial ability to make the contribution. All  
2 contributions made under this section shall be made to the municipal court for  
3 distribution to the crime prevention organization. A municipal court may not require  
4 a person to make a contribution to a crime prevention organization under this section  
5 if the person is not convicted of an ordinance violation. The municipal court may not  
6 require a person to make a contribution under this section to a crime prevention  
7 organization that has not complied with the provisions of s. 757.17.

8 **SECTION 3.** 757.17 of the statutes is created to read:

9 **757.17 Crime prevention organization reporting.** Every organization  
10 that receives contributions under s. 753.40, 755.20, 973.06 (1) (f) or 973.09 (1x) shall  
11 submit a report annually by February 1 to the clerk of the court that ordered the  
12 contribution. The report shall be on a form designed and provided by the director of  
13 state courts and shall include all of the following information for the calendar year  
14 preceding the submittal of the report:

- 15 (1) The amount of contributions received.  
16 (2) The names of the persons who made the contributions.  
17 (3) The expenditures made with the contributions.  
18 (4) The balance of the contributions remaining.  
19 (5) The name of the organization that received the contribution and the names  
20 of the officers of the organization.

21 **SECTION 4.** 778.027 of the statutes is created to read:

22 **778.027 Dismissals for contributions to crime prevention**  
23 **organizations.** A prosecutor or an attorney representing the state or a political  
24 subdivision of the state may not dismiss or amend a citation or complaint alleging

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1 a violation that will result in a forfeiture in exchange for a person's payment of a  
2 contribution to a crime prevention organization.

3 **SECTION 5.** 967.057 of the statutes is created to read:

4 **967.057 Dismissals for contributions to crime prevention**  
5 **organizations.** A prosecutor may not dismiss or amend a charge alleging a criminal  
6 offense in exchange for a person's payment of a contribution to a crime prevention  
7 organization.

8 **SECTION 6.** 973.06 (1) (f) of the statutes is amended to read:

9 973.06 (1) (f) An amount determined by the court to make a reasonable  
10 contribution to a crime prevention organization, if the court determines that the  
11 person has the financial ability to make the contribution and the contribution is  
12 appropriate. All contributions made under this paragraph shall be made to the clerk  
13 of circuit court for distribution to the crime prevention organization. The court may  
14 not order a person to make a contribution under this paragraph to a crime prevention  
15 organization that has not complied with the provisions of s. 757.17.

16 **SECTION 7.** 973.09 (1x) of the statutes is amended to read:

17 973.09 (1x) If the court places a person on probation, the court may require that  
18 the probationer make a contribution to a crime prevention organization if the court  
19 determines that the probationer has the financial ability to make the contribution.  
20 All contributions made under this subsection shall be made to the clerk of circuit  
21 court for distribution to the crime prevention organization. The court may not  
22 require a person to make a contribution under this subsection to a crime prevention  
23 organization that has not complied with the provisions of s. 757.17.

24 (END)

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

**Date:** 2/24/99

**To:** Representative Musser

**Relating to LRB drafting number:** LRB-1903

**Topic**

Contributions to crime prevention organizations by persons convicted of crime

**Subject(s)**

Courts - miscellaneous

1. **JACKET** the draft for introduction Terry M. Musser  
in the **Senate** \_\_\_\_ or the **Assembly** \_\_\_\_ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.  
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney  
Telephone: (608) 267-7511