



2003 ASSEMBLY BILL 661

November 13, 2003 - Introduced by Representatives GROTHMAN, LEMAHIEU, ALBERS, FRISKE, GUNDERSON, HAHN, KRAWCZYK, LADWIG, MUSSER, NASS, OTT, SERATTI, VAN ROY and VRAKAS, cosponsored by Senator ROESSLER. Referred to Committee on Judiciary.

1 **AN ACT** *to amend* 778.09 of the statutes; **relating to:** allowing a circuit court to
2 reduce the amount of an unpaid forfeiture by time served in jail for failure to
3 pay the forfeiture.

Analysis by the Legislative Reference Bureau

Current law authorizes a municipal court to reduce the amount of an unpaid municipal forfeiture by at least \$25 a day for each day that the defendant serves in jail for failure to pay the forfeiture. This bill gives a circuit court the same power to reduce the amount of a forfeiture imposed for a violation of a state statute.

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:

4 **SECTION 1.** 778.09 of the statutes is amended to read:
5 **778.09 Judgment, costs, commitment of defendant.** Where judgment is
6 recovered pursuant to this chapter it shall include costs and direct that if the
7 judgment is not paid the defendant, if an individual, shall be imprisoned in the

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1 county jail for a specified time, not exceeding 6 months, or until otherwise discharged
2 pursuant to law, except that the defendant reduces the amount owed at a rate of at
3 least \$25 for each day of imprisonment. The commitment shall issue, as in ordinary
4 criminal actions, and the defendant shall not be entitled to the liberties of the jail.

5 **SECTION 2. Initial applicability.**

6 (1) This act first applies to persons upon whom a forfeiture is imposed on the
7 effective date of this subsection.

8 (END)