

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB40)**

Received: **06/27/2007**

Received By: **rnelson2**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-7814**

By/Representing: **Carmichael**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Courts - costs and fees**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

LFB:.....Carmichael -

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**Topic:**

Collection of fines, fees, and forfeitures

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**Instructions:**

See Attached

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**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>
/1	rnelson2 06/27/2007	jdyer 06/27/2007	nmatzke 06/27/2007	_____	cduerst 06/27/2007		

FE Sent For:

<END>

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LFB:.....Renner -

LFB:.....Carmichael -

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Collection of fines, fees, and forfeitures

Instructions:

See Attached

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/1	rnelson2	1 <sup>6/27</sup> jld	nwn 6/27	nwn/jf 6/27			

FE Sent For:

<END>

LFB

2007 - 2008 LEGISLATURE

LRB-46701

RPN:kjf:pg

LPS - Fix request sheet please

↑ L + jld stays

2007 BILL

AA to

ASA 1 to

2007 SB 40

At the locations indicated, amend the substitute amendment as follows:

1 AN ACT to amend 59.25 (3) (j) of the statutes; relating to: collection of fines and  
2 forfeitures by counties.

Analysis by the Legislative Reference Bureau

Under current law, if a circuit court imposes a fine or forfeiture on a person for violating a state law or local ordinance unrelated to transportation, the clerk of circuit court collects the amount owed and pays that amount to the county treasurer. The county treasurer, in turn, pays 90 percent of the fine and forfeiture money to the state, but is permitted to retain 10 percent of the money as administrative fees.

This bill allows the county to retain 20 percent of fines and forfeitures unrelated to transportation ordinance violations that are collected and 30 percent of those fines and forfeitures that were imposed at least 180 days before the effective date of the bill and collected within one year of that date.

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:

→ # Page 822, line 16: after that line insert:

3 SECTION 59.25 (3) (j) of the statutes is amended to read:

4 59.25 (3) (j) Retain 10% for 20 percent of fines and forfeitures collected as fees

5 in for receiving and paying into the state treasury all money received by the treasurer

BILL

1 for the state for fines and forfeitures, except that 50% retain 30 percent of the fines  
 2 and forfeitures collected within one year after the effective date of this paragraph ...  
 3 [revisor inserts date], that were imposed at least 180 days before the effective date  
 4 of this paragraph ... [revisor inserts date], retain 50 percent of the state forfeitures  
 5 and fines under chs. 341 to 347, 349, and 351 shall be retained as fees, and retain the  
 6 other fees for receiving and paying money into the state treasury that are prescribed  
 7 by law.

SECTION 2. Initial applicability.

#. Page 1659, line 24: after that line insert:

8 ~~(1)~~ This act first applies to fines and forfeitures that are uncollected on the  
 9 effective date of this subsection.

SECTION 3. Effective date.

#. Page 1668, line 5: after that line insert:

11 (1) This act takes effect on the first day of the 4th month beginning after  
 12 publication.

(END)

MOVE

(d) (3d) Collection of fines and forfeitures. The treatment of section 59.25 (3) (j) of the statutes and SECTION 9307 (3d) of this act

Fix component

(d) (3d) Collection of fines and forfeitures. The treatment of section 59.25 (3) (j) of the statutes



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBb0753/1  
RPN:kjf&jld:nwn

LFB:.....Carmichael - Collection of fines, fees, and forfeitures

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 822, line 16: after that line insert:

3 "SECTION 1844g. 59.25 (3) (j) of the statutes is amended to read:

4 59.25 (3) (j) Retain ~~10%~~ 20 percent of fines and forfeitures collected as fees  
5 ~~in~~ for receiving and paying into the state treasury all money received by the treasurer  
6 for the state for fines and forfeitures, ~~except that 50%,~~ retain 30 percent of the fines  
7 and forfeitures collected within one year after the effective date of this paragraph ....  
8 [revisor inserts date], that were imposed at least 180 days before the effective date  
9 of this paragraph .... [revisor inserts date], retain 50 percent of the state forfeitures  
10 and fines under chs. 341 to 347, 349, and 351 ~~shall be retained~~ as fees, and retain the

1 other fees for receiving and paying money into the state treasury that are prescribed  
2 by law.”.

3 **2.** Page 1654, line 24: after that line insert:

4 “(3d) COLLECTION OF FINES AND FORFEITURES. The treatment of section 59.25 (3)  
5 (j) of the statutes first applies to fines and forfeitures that are uncollected on the  
6 effective date of this subsection.”.

7 **3.** Page 1668, line 5: after that line insert:

8 “(3d) COLLECTION OF FINES AND FORFEITURES. The treatment of section 59.25 (3)  
9 (j) of the statutes and SECTION 9307 (3d) of this act take effect on the first day of the  
10 4th month beginning after publication.”.

11 (END)