



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2007 Assembly Bill 669**

**Assembly Amendment 1**

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Assembly Bill 669 authorizes a municipal court to issue an order assigning to the municipal court not more than 25% of a defendant's commissions, earnings, salaries, wages, pension benefits, worker's compensation benefits, and other money due or to be due in the future, including lottery prizes, for payment of any unpaid restitution, forfeiture, costs, fees, or surcharges that were included in a municipal court judgment.

Currently, circuit courts have authority to order income assignments (e.g., ss. 778.30 (2) to (5) and 973.05 (5) Stats.). The provisions applicable to circuit court contain an irreparable harm standard and substantial detail concerning the mechanics of implementing an income assignment.

Assembly Amendment 1, which corresponds to current statutory provisions on income assignments ordered by circuit courts:

- Provides that if a municipal court finds that an income assignment will cause the defendant irreparable harm, the order is not to be implemented.
- Includes provisions for notifying employers (and other income sources) of the income assignment, the duties of the income source, and the penalties for failing to comply with the duties.
- Allows retention of disbursement fees by the employer (see pg. 3 lines 19 to 22 of the amendment).
- Includes provisions for handling multiple income assignments that have been ordered against the same person.
- Includes employment discrimination protections for a person who is the subject of a municipal court income assignment.

**Legislative History**

Assembly Amendment 1 was offered by the Assembly Committee on Urban and Local Affairs. The committee recommended adoption of the amendment and passage of the bill, as amended, both on a vote of Ayes, 9; Noes, 0.

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