

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB219)

Received: 10/27/2009

Received By: **mglass**

Wanted: **As time permits**

Identical to LRB:

For: **Anthony Staskunas (608) 266-0620**

By/Representing: **Adrienne Ramirez**

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

Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - boats snomos ATVs**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Staskunas@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt personal flotation device penalty from certain surcharges

Instructions:

exempt the forfeiture penalty from the crime lab and drug surcharge, the court support surcharge and the justice information surcharge

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	mglass 10/27/2009	wjackson 10/28/2009	jfrantze 10/28/2009	_____	lparisi 10/28/2009	lparisi 10/28/2009	

FE Sent For:

<END>

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/?	mglass	1 Wlj 10/28	Jp 10/28	PH			

FE Sent For:

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State of Wisconsin
2009 - 2010 LEGISLATURE

RMP
LRBa09731 1
MGG:.....
WLJ+cjs

first thing
Wed am

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO 2009 ASSEMBLY BILL 219

plain →

(a), (am) 10, (ar), (bm), (br), or (bv)
or (5)(b)

was affected by 2009
Wisconsin Act 28

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 14: after that line insert:

3 "SECTION 3g. 165.755 (1) (b) of the statutes is amended to read:

4 165.755 (1) (b) A court may not impose the crime laboratories and drug law
5 enforcement surcharge under par. (a) for a violation of s. 101.123 (2) or (2m), ~~or (2m)~~

6 ~~financial responsibility violation under s. 344.62 (1m)~~ for a first violation of s. 23.33
7 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who
8 committed the violation had a blood alcohol concentration of 0.08 or more but less
9 than 0.1 at the time of the violation, for a personal flotation device violation under
10 s. 30.62 (3) (c), or for a violation of a state law or municipal or county ordinance
11 involving a nonmoving traffic violation, a violation under s. 343.51 (1m) (b), or a
12 safety belt use violation under s. 347.48 (2m).

NOTE: NOTE- Par. (b) is shown as amended eff. 7-5-10 by 2009 Wis. Act 12 and as amended eff. 6-1-10 by 2009 Wis. Act 28, as merged by the legislative reference bureau under s. 13.92 (2) (i). Prior to 7-5-10, as amended eff. 6-1-10 by 2009 Wis. Act 28, it reads: NOTE:

Days affected by 2009 Wisconsin Act 28

1 (b) A court may not impose the crime laboratories and drug law enforcement surcharge under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br),
4 or (bv) or (5) (b), for a financial responsibility violation under s. 344.62 (2), for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b),
if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of a state
law or municipal or county ordinance involving a nonmoving traffic violation, a violation under s. 343.51 (1m) (b), or a safety belt use violation under s. 347.48 (2m).

NOTE: NOTE: Prior to 6-1-10 par. (b) reads:NOTE:

8 (b) A court may not impose the crime laboratories and drug law enforcement surcharge under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br),
or (bv) or (5) (b), for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol
concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of a state law or municipal or county ordinance involving a nonmoving
traffic violation, a violation under s. 343.51 (1m) (b), or a safety belt use violation under s. 347.48 (2m).

History: 1997 a. 27; 1999 a. 9, 72; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 30, 33, 139, 268, 326, 327; 2005 a. 26, 455; 2009 a. 12, 28; s. 13.92 (2) (b)

9 SECTION 3m. 814.85 (1) (a) of the statutes is amended to read:

10 814.85 (1) (a) Except for an action for a first violation of s. 23.33 (4c) (a) 2.,
11 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the
12 violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the
13 time of the violation, for a personal flotation device violation under s. 30.62 (3) (c),
14 ~~for a financial responsibility violation under s. 344.62 (2)~~ or for a violation under s.
15 343.51 (1m) (b) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit
16 court shall charge and collect a \$68 court support services surcharge from any
17 person, including any governmental unit as defined in s. 108.02 (17), paying a fee
18 under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

NOTE: NOTE: Par (a) is shown as amended eff. 6-1-10 by 2009 Wis. Act 28. Prior to 6-1-10 it reads:NOTE:

19 (a) Except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had
20 a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation under s. 343.51 (1m) (b) or a safety belt use violation under
21 s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$68 court support services surcharge from any person, including any governmental unit as defined
22 in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

History: 1993 a. 16; 1995 a. 27, 201, 417; 2001 a. 109; 2003 a. 30, 33; 2003 a. 139 ss. 197 to 200; Stats. 2003 s. 814.85; 2003 a. 326 ss. 123 to 125; 2005 a. 455; 2009 a.

23 SECTION 3r. 814.86 (1) of the statutes is amended to read:

24 814.86 (1) Except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681
25 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation
26 had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the
27 violation, for a personal flotation device violation under s. 30.62 (3) (c), ~~for a financial~~
28 ~~responsibility violation under s. 344.62 (2)~~ or for a violation under s. 343.51 (1m) (b)
29 or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall
30 charge and collect a \$21.50 justice information system surcharge from any person,
31 including any governmental unit, as defined in s. 108.02 (17), paying a fee under s.

as affected by 2009 Wisconsin Act 28, section 3240(m)

1 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice
2 information system surcharge is in addition to the surcharge listed in sub. (1m).” ✓

NOTE: NOTE: Sub. (1) is shown as amended eff. 6-1-10 by 2009 Wis. Act 28. Prior to 6-1-10 it reads:NOTE:

3 (1) Except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had
4 a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation under s. 343.51 (1m) (b) or a safety belt use violation under
5 s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$21.50 justice information system surcharge from any person, including any governmental unit, as
6 defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information system surcharge
7 is in addition to the surcharge listed in sub. (1m).

History: 1987 a. 27; 1989 a. 22; 1991 a. 26, 39; 1993 a. 16; 1995 a. 27, 201; 1997 a. 27; 1999 a. 9; 2003 a. 30, 33; 2003 a. 139 s. 201; Stats. 2003 s. 814.86; 2003 a. 326;
2005 a. 25, 455; 2009 a. 28.

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(END)