

2009 DRAFTING REQUEST

Bill

Received: 09/19/2008

Received By: chanaman

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Wavrunek

This file may be shown to any legislator: NO

Drafter: chanaman

May Contact:

Addl. Drafters:

Subject: Criminal Law - miscellaneous  
Justice - criminal

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Wavrunek, BB0054 -

Topic:

Criminal history search fee

Instructions:

See attached

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> |
|--------------|------------------------|------------------------|----------------------|----------------|-----------------------|-----------------|-----------------|
| /?           | chanaman<br>09/19/2008 | kfollett<br>09/23/2008 |                      | _____          |                       |                 |                 |
| /P1          | chanaman<br>01/05/2009 | kfollett<br>01/06/2009 | phenry<br>09/23/2008 | _____          | mbarman<br>09/23/2008 |                 |                 |
| /P2          |                        |                        | phenry<br>01/06/2009 | _____          | cduerst<br>01/06/2009 |                 |                 |

FE Sent For:

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **09/19/2008**

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Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

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

Drafter: **chanaman**

May Contact:

Adl. Drafters:

Subject: **Criminal Law - miscellaneous  
Justice - criminal**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

DOA:.....Wavrunek, BB0054 -

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**Topic:**

Criminal history search fee

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**Instructions:**

See attached

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|--------------|------------------------|------------------------|-----------------------------------|----------------|-----------------------|-----------------|-----------------|
| /?           | chanaman<br>09/19/2008 | kfollett<br>09/23/2008 |                                   | _____          |                       |                 |                 |
| /P1          |                        | 1P2/gf<br>1/6          | phenry<br>09/23/2008<br>1/6<br>ph | _____          | mbarman<br>09/23/2008 |                 |                 |
| FE Sent For: |                        |                        |                                   | <END>          |                       |                 |                 |

2009 DRAFTING REQUEST

Bill

Received: 09/19/2008

Received By: chanaman

Wanted: As time permits

Identical to LRB:

For: Justice

By/Representing: Jack Benjamin

This file may be shown to any legislator: NO

Drafter: chanaman

May Contact:

Add. Drafters:

Subject: Criminal Law - miscellaneous  
Justice - criminal

Extra Copies:

Submit via email: YES

Requester's email: jack.benjamin@wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Criminal history search fee

Instructions:

See attached

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> |
|--------------|----------------|-----------------|-----------------|-----------------|------------------|-----------------|-----------------|
| /?           | chanaman       | 1P1kf<br>9/23   | 9<br>/23<br>PI* | 9<br>/23<br>PI* |                  |                 |                 |

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

0 308

- Topic: Criminal History Search Fee
- Tracking Code: BB0054
- SBO team: Agriculture, Environment and Justice
- SBO analyst: Leah Wavrunek
  - Phone: 267-0370
  - Email: leah.wavrunek@wisconsin.gov
- Agency acronym: DOJ
- Agency number: 455
- Priority (Low, Medium, High): High

CM 14

Intent:

Change the current fee structure of the criminal history search fee. Under current law, the fee charged depends on who requests the record search, ranging from \$2 to \$13. The request would authorize a uniform fee of \$7, regardless of the requestor.

The agency suggested the following sections for change: s. 165.82(1)(a), (ag) and (b).



P1

7.....  
cmr kf

DOA

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

don't get cut

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

✓ JUSTICE

Under current law, DOJ must impose a fee for a criminal history search that is not related to criminal justice or to a handgun purchase as follows: \$2 for each search requested by a nonprofit organization; \$5 for each search requested by a governmental agency; and \$13 for each search requested by any other person. This bill changes the fee to \$7.

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

2 SECTION 1. 165.82 (1) (a) and (ag) of the statutes are consolidated, renumbered  
3 165.82 (1) (a) and amended to read:

4 165.82 (1) (a) For each record check, except a fingerprint card record check,  
5 requested by a nonprofit organization, \$2. (ag) For each record check, except a  
6 fingerprint card record check, requested or by a governmental agency, \$5 \$7.

History: 1987 a. 27; 1989 a. 122; 1991 a. 11; 1995 a. 27; 2003 a. 33. ✓

7 SECTION 2. 165.82 (1) (b) of the statutes is amended to read:

1                    165.82 (1) (b) For each record check by any other requester, \$13 ~~\$7~~. ✓✓

2                    **History:** 1987 a. 27; 1989 a. 122; 1991 a. 11; 1995 a. 27; 2003 a. 33.

**(END)**



02

DOA:.....Wavrunek, BB0054 - Criminal history search fee

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT <sup>don't get</sup> relating to: the budget.

*Analysis by the Legislative Reference Bureau*

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*for each search*  
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INS A

*requested by a nonprofit organization or a governmental agency*

7

1

**SECTION 2.** 165.82 (1) (b) of the statutes is amended to read:

2

165.82 (1) (b) For each record check by any other requester, ~~\$13~~ \$7.

3

(END)

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0308/P1ins  
CMH:kjf:ph

1

Insert A

*no \$* DOJ must impose a \$2 fee for each search requested by a nonprofit organization and a \$5 fee for each search requested by a governmental agency.



DOA:.....Wavrunek, BB0054 - Criminal history search fee

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**JUSTICE**

Under current law, DOJ must impose a fee for a criminal history search that is not related to criminal justice or to a handgun purchase DOJ must impose a \$2 fee for each search requested by a nonprofit organization and a \$5 fee for each search requested by a governmental agency. This bill changes the fee to \$7 for each search requested by a nonprofit organization or a governmental agency.

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

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6 ~~fingerprint card record check, requested~~ or by a governmental agency, \$5 ~~\$7~~.

7 (END)