



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2003 Wisconsin Act 309 [2003 Senate Bill 17]	State Expenses for Investigation and Prosecution of Violations
2003 Acts: www.legis.state.wi.us/2003/data/acts/	Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

2003 Wisconsin Act 309 modifies various statutes that deal with violations of state statutes related to Medical Assistance, anti-trust, and certain environmental regulations. Under the law prior to Act 309, courts could award to the Department of Justice (DOJ) the costs of investigations and prosecutions related to violations of those statutes. The money awarded is deposited in the state general fund. The Act modifies these statutes to state that the costs of investigation and the expenses of prosecution, including attorney fees, are to be credited to a DOJ appropriation account.

In signing Act 309 into law, the Governor vetoed provisions of the Act that would have done the following: (1) created a Joint Committee on Court Judgments and Settlements; (2) created a process that would be used to apply for grants when DOJ brings an action on behalf of the citizens of Wisconsin and wins a money judgment or settlement of \$100,000 or more and the court has established particular purposes for use of the money; (3) provided that if a court judgment or settlement has not specified that payments be used for particular persons or a particular purpose, the money that the state receives is to be deposited in the budget stabilization fund; and (4) specified that 10% of the money that is awarded to the state for the cost of investigation and the expenses of prosecution must be credited to the DOJ appropriation account (the Governor vetoed the 10% figure).

Effective Date: The Act takes effect on May 7, 2004.

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May 6, 2004

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.