



**WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO**

2005 Wisconsin Act 59
[2005 Assembly Bill 211]

**County Collection of Fees, Fines,
Forfeitures, and Surcharges; Setoffs
Against Tax Refunds; Disclosing
Department of Transportation
Information to Department of
Revenue**

Prior law authorized a clerk of circuit court to contract with a collection agency to collect unpaid fines and forfeitures. Act 59 authorizes a clerk of circuit court to hire a debt collector (a business or individual who engages in debt collection) to collect unpaid fines and forfeitures.

Prior law did not authorize the use of debit cards for any required payment to counties. Act 59 authorizes a clerk of circuit court to accept a credit card or debit card for any required payment to the county, and to charge a reasonable fee for that service.

Prior law authorized the Department of Revenue (DOR) to charge an administrative fee to counties, municipalities, and state agencies for certifying unpaid debts (such as parking citations, fines, fees, restitution, and forfeitures) to the DOR's tax refund intercept program. Act 59 authorizes the DOR to charge the administrative fee to the person who owes an unpaid debt to a county, municipality, or state agency. The Act further authorizes the county or municipality to provide the debtor's driver's license number to DOR for purposes of the tax refund intercept program.

The Act requires the Department of Transportation (DOT) to provide the DOR with the names, addresses, driver's license numbers, and Social Security numbers of persons who owe an unpaid debt to a county, municipality, or state agency, for purposes of administering the tax refund intercept program. The Act specifies that an authority, including a state or local office, agency, or department must not provide access to personally identifiable information that contains an individual's account number, including credit card and debit card numbers, checking account numbers, or draft account numbers, unless specifically required to do so by law.

Effective Date: The Act first applies to payments ordered in actions commenced on the effective date of the Act. The Act takes effect on April 1, 2006.

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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 at the Legislature's Web site at: <http://www.legis.state.wi.us/>.