

Assembly Bill 95

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CHAPTER 184, LAWS OF 1967

AN ACT to amend 274.14 and 895.346 of the statutes, relating to deposits in lieu of bail bonds.

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

SECTION 1. 274.14 of the statutes is amended to read:

274.14 (1) When the appellant is required to give undertaking he may, in lieu thereof, and with legal effect, deposit with the clerk of the trial court (who shall give a receipt therefor, a sum of money, certified check, or United States government bonds at their par value, *or bank certificates of deposit at their face value*, approved by the court and at least equal to the amount for which such undertaking is required and serve notice of making such deposit. Such deposit shall be held to answer the event of the appeal upon the terms prescribed for the undertaking in lieu of which the same is deposited. Any such undertaking and deposit may be waived in writing by the respondent and such waiver shall have the same effect as the giving of the undertaking would have had.

(2) Upon notice and upon motion of any party, the court in which the judgment or order appealed from is entered may in its discretion order such sum of money to be invested or such United States government bonds or certified check *or bank certificates of deposit*, to be held for safekeeping by the clerk, in such manner as it shall determine or the parties may stipulate. The appellant shall be entitled to any interest, earnings, dividends, bond coupons, profit or income upon or from the money or certified check, investments or United States government bonds, and the clerk shall pay or deliver the same to the appellant without an order of the court, as and when received, or in the case of coupons when they become due and

(3) *The clerk of the trial court shall notify the payor bank of any bank certificates of deposit held by the court pursuant to subs. (1) and payable.*

SECTION 2. 895.346 of the statutes is amended to read:

(2).

895.346 When any bond or undertaking is authorized in any civil or criminal action or proceeding, the would-be obligor may, in lieu thereof and with like legal effect, deposit with the proper court or officer cash or certified bank checks or United States bonds *or bank certificates of deposit* in an amount at least equal to the required security; and the receiver thereof shall give a receipt therefor *and shall notify the payor bank of any deposits of bank certificates of deposit*. Section 274.14 shall govern the procedure so far as applicable.

Approved November 6, 1967.