

State of Wisconsin



1995 Assembly Bill 560

Date of enactment: April 4, 1996
Date of publication*: April 17, 1996

1995 WISCONSIN ACT 199

AN ACT to renumber and amend 970.05; to amend 970.05 (title); and to create 970.05 (2) (c) of the statutes; relating to: payment for the cost of transcribing a preliminary hearing transcript.

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

SECTION 1. 970.05 (title) of the statutes is amended to read:

970.05 (title) **Testimony at preliminary examination; payment for transcript of testimony.**

SECTION 2. 970.05 of the statutes is renumbered 970.05 (1) and amended to read:

970.05 (1) The testimony at the preliminary examination shall be transcribed if requested by the district attorney or the defendant or an attorney representing the defendant or ordered by the judge to whom the trial is assigned. The reporter shall file such transcript with the clerk within 10 days after it is requested.

(2) (a) When a transcript is requested under sub. (1) by someone other than the state public defender or a private attorney appointed under s. 977.08 a person specified in par. (b) or (c), the county shall pay the cost of the

original and any additional copies shall be paid for at the statutory rate by the party requesting the copies.

(b) When a transcript is requested under sub. (1) by the state public defender or by a private attorney appointed under s. 977.08, the state public defender shall pay the cost of the original from the appropriation under s. 20.550 (1) (f) and any additional copies shall be paid for at the statutory rate by the party requesting the copies.

SECTION 3. 970.05 (2) (c) of the statutes is created to read:

970.05 (2) (c) When a transcript is requested under sub. (1) by a defendant who is not indigent under ch. 977 or by an attorney retained by a defendant who is not indigent under ch. 977, the defendant shall pay the cost of the original and any additional copies shall be paid for at the statutory rate by the party requesting the copies.

SECTION 4. Initial applicability.

(1) This act first applies to requests for a transcript of preliminary hearing testimony made on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].