

State of Wisconsin



1995 Assembly Bill 465

Date of enactment: February 26, 1996

Date of publication*: March 11, 1996

1995 WISCONSIN ACT 139

AN ACT to *renumber and amend* 808.03 (1); and to *create* 808.03 (1) (a) to (d) of the statutes; **relating to:** limiting appeals as a matter of right to traffic regulation cases in which the penalty is a forfeiture.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is introduced by the law revision committee under s. 13.83 (1) (c) 1., stats. After careful consideration of the decision in the court of appeals decision, *State v. Borowski*, 164 Wis. 2d 730 (Ct. App. 1991), the law revision committee has determined that codifying that decision is desirable as a matter of public policy.

SECTION 1. 808.03 (1) of the statutes is renumbered 808.03 (1) (intro.) and amended to read:

808.03 (1) APPEALS AS OF RIGHT. (intro.) A final judgment or a final order of a circuit court may be appealed as a matter of right to the court of appeals unless otherwise expressly provided by law. A final judgment or final order is a judgment or order entered in accordance with s. 806.06 (1) (b) or 807.11 (2) or a disposition recorded in docket entries in ch. 799 cases or traffic regulation or

~~municipal ordinance violation cases prosecuted in circuit court which that~~ disposes of the entire matter in litigation as to one or more of the parties, whether rendered in an action or special proceeding, and that is one of following:

SECTION 2. 808.03 (1) (a) to (d) of the statutes are created to read:

808.03 (1) (a) Entered in accordance with s. 806.06 (1) (b) or 807.11 (2).

(b) Recorded in docket entries in ch. 799 cases.

(c) Recorded in docket entries in traffic regulation cases prosecuted in circuit court if a person convicted of a violation may be ordered to pay a forfeiture.

(d) Recorded in docket entries in municipal ordinance violation cases prosecuted in circuit court.

NOTE: This bill codifies that an appeal as of right of a final judgment or order in a traffic regulation case applies only in cases in which the penalty is a forfeiture.

* 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].