

1999 ASSEMBLY BILL 381

June 10, 1999 – Introduced by Representatives VRAKAS, KLUSMAN, LADWIG, TURNER, BRANDEMUEHL, TOWNSEND, HAHN, GROTHMAN, OWENS, ALBERS and POWERS, cosponsored by Senators DRZEWIECKI and DARLING. Referred to Committee on Judiciary and Personal Privacy.

1 **AN ACT to repeal** 800.04 (1) (b) 1. c. and 800.04 (1) (d); and **to amend** 345.43 (1),
2 755.045 (1) (a), 800.02 (2) (a) 7. and 800.02 (3) (a) 6. of the statutes; **relating**
3 **to:** jury trials in municipal court.

Analysis by the Legislative Reference Bureau

Under current law, in municipal court a person charged with a violation of either of the following ordinances has the right to request a jury trial:

1. An ordinance that is in conformity with the state law that prohibits the operation of a motor vehicle while under the influence of an intoxicant, controlled substance or other drug (OWI).

2. An ordinance that is in conformity with the state law that prohibits the operation of a commercial motor vehicle while the person has a blood alcohol concentration of 0.04% or more but less than 0.1%.

If the violator requests a jury trial and pays the required fees, currently, the municipal court is required to transfer the case to the clerk of circuit court in the county where the violation occurred. The circuit court is then required to set a date for a jury trial.

This bill removes the right to a jury trial in municipal court cases.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

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

