

**1999 DRAFTING REQUEST**

**Bill**

Received: 08/12/1999

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Jim Baumgart (608) 266-2056

By/Representing: Pat

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Courts - limitations

Extra Copies:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Limits on small claims cases

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**Instructions:**

Raise the limit on small claims actions to \$10,000, then to \$15,000 in four years and to \$20,000 in four more years

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	nelsorp1 08/27/1999	ygeller 08/27/1999	martykr 08/30/1999	_____	lrb_docadmin 08/30/1999	lrb_docadminS&L 09/22/1999	

FE Sent For:

G 09-28-99

<END>

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**Instructions:**

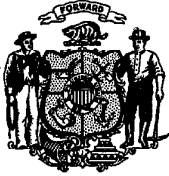
Raise the limit on small claims actions to \$10,000, then to \$15,000 in four years and to \$20,000 in four more years

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/?	nelsorp1	1 8/27 JG	Km 8/30	HH 8/30 Km 8/30			

FE Sent For:

<END>



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-3434/1

RPN.....

jlg

1999 BILL

1 AN ACT <sup>gen cat</sup> <sup>raising the</sup> relating to: dollar limit for small claims actions. ✓

*Analysis by the Legislative Reference Bureau*

Under current law, the small claims procedure, which is much less formal than other circuit court procedures, is limited to certain types of actions, such as evictions, and to actions in which the amount in dispute is \$5,000 or less. This bill raises that amount to \$10,000 on July 1, 2000, to \$15,000 on July 1, 2004, and to \$20,000 on July 1, 2008.

For further information see the *state and 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:*

2 SECTION 1. 799.01 (1) (c) of the statutes is amended to read: ✓  
3 799.01 (1) (c) *Replevins*. Actions for replevin under ss. 810.01 to 810.13 where  
4 the value of the property claimed does not exceed ~~\$5,000~~ \$10,000. Beginning on July  
5 1, 2004, the maximum value of the property claimed may not exceed \$15,000.  
6 Beginning on July 1, 2008, the maximum value of the property claimed may not  
7 exceed \$20,000. *a plain*

History: Sup. Ct. Order, 67 W (2d) 585, 776 (1975); 1975 c. 325, 365, 472; 1977 c. 449 s. 497; 1979 c. 32 ss. 66, 92 (16); 1979 c. 175 s. 53; Stats. 1979 s. 799.01; 1983 a. 228; 1987 a. 208, 378, 403; 1989 a. 31, 359; 1991 a. 163; 1993 a. 80, 181; 1995 a. 27.

BILL

Other civil actions.

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SECTION 2. 799.01 (1) (d) (intro.) of the statutes is amended to read:

799.01 (1) (d) (intro.) Other civil actions where the amount claimed is \$5,000  
\$10,000 or less, if the actions or proceedings are:

History: Sup. Ct. Order, 67 W (2d) 585, 776 (1975); 1975 c. 325, 365, 422; 1977 c. 449 s. 497; 1979 c. 32 ss. 66, 92 (16); 1979 c. 175 s. 53; Stats. 1979 s. 799.01; 1983 a. 228; 1987 a. 208, 378, 403; 1989 a. 31, 359; 1991 a. 163; 1993 a. 80, 181; 1995 a. 27.

SECTION 3. 799.01 (1) (e) of the statutes is created to read:

799.01 (1) (e) *Other civil actions; increased amount claimed.* Beginning on July 1, 2004, the maximum amount claimed under par. (d) may not exceed \$15,000. Beginning on July 1, 2008, the maximum amount claimed under par. (d) may not exceed \$20,000.

SECTION 4. 799.01 (2) of the statutes is amended to read:

799.01 (2) PERMISSIVE USE OF SMALL CLAIMS PROCEDURE. A taxing authority may use the procedure in this chapter in an action to recover a tax from a person liable for that tax where the amount claimed, including interest and penalties, is \$5,000 \$10,000 or less. Beginning on July 1, 2004, the maximum amount claimed may not exceed \$15,000. Beginning on July 1, 2008, the maximum amount claimed may not exceed \$20,000. This chapter is not the exclusive procedure for those actions.

History: Sup. Ct. Order, 67 W (2d) 585, 776 (1975); 1975 c. 325, 365, 422; 1977 c. 449 s. 497; 1979 c. 32 ss. 66, 92 (16); 1979 c. 175 s. 53; Stats. 1979 s. 799.01; 1983 a. 228; 1987 a. 208, 378, 403; 1989 a. 31, 359; 1991 a. 163; 1993 a. 80, 181; 1995 a. 27.

SECTION 5. Initial applicability.

(1) This act first applies to actions commenced on the effective date of this subsection.

SECTION 6. Effective date.

(1) This act takes effect on July 1, 2000.

(END)

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

**Date:** 08/30/1999

**To:** Senator Baumgart

**Relating to LRB drafting number:** LRB-3434

**Topic**

Limits on small claims cases

**Subject(s)**

Courts - limitations

1. **JACKET** the draft for introduction James A. Baumgart  
in the Senate  or the Assembly  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.  
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney  
Telephone: (608) 267-7511



STEPHEN D. MILLER  
CHIEF

# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
P. O. BOX 2037  
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3361  
LEGAL FAX: (608) 264-8522

REFERENCE SECTION: (608) 266-0341  
REFERENCE FAX: (608) 266-5648

# *FISCAL ESTIMATES*

**BILL NUMBER:**

**1999 SENATE BILL 240**

Note: The analysis of this bill states that a fiscal estimate was required for this bill. A request was made through the department of administration to have a fiscal estimate prepared. The agency(s) assigned to prepare a fiscal estimate for this bill did not return an estimate for this bill so none are included in this file.