

1999 DRAFTING REQUEST

Bill

Received: **09/8/98**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 67329**

By/Representing: **Justus**

This file may be shown to any legislator: **NO**

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Trade Regulation**

Extra Copies: **JEO**

Topic:

DOA:.....Justus - Consumer information assessment

Instructions:

See Attached

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	gibsom 11/17/98	gilfokm 11/19/98	jfrantze 11/20/98	_____	lrb_docadmin 11/20/98		S&L
/2	gibsom 02/3/99	wjackson 02/3/99	hhagen 02/3/99	_____	lrb_docadmin 02/3/99		S&L

FE Sent For:

<END>

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2/2/99
12
12 2/3 jlg*

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2/3 CW/WP 2/3*

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1?	gibsom		St 11/20	St Rh 11/20			S&L

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2. CONSUMER PROTECTION INVESTIGATION AND INFORMATION (DIN #5410)

Should pay DATCP and DOJ shall deposit and credit the \$ as follows

EXPLANATION:

DATCP proposes to add funding for consumer protection by assessing persons who violate consumer protection laws.

Under current law, a court in a consumer protection or unfair trade practice case may order a defendant to reimburse the state's investigation and prosecution costs. Under current law, all of these payments must be deposited to the general fund, except that 10% of the payment goes to the Department of Justice. Under current law, none of the payment goes to DATCP even if DATCP incurred the investigative costs. Nor does any of the payment go to a county even if the county district attorney (rather than DOJ) prosecuted the case. This legislation modifies current law so that:

- Ten percent of the total reimbursement award (investigation and prosecution costs) goes to DATCP.
- Ten percent of the total reimbursement award (investigation and prosecution costs) goes to DOJ, regardless of whether DOJ prosecuted the case.
- Ten percent of the total reimbursement award (investigation and prosecution costs) goes to the county if a county district attorney prosecuted the case.
- The court's authority to award investigation and prosecution costs is expanded to include weights and measures cases under ch. 98, Stats. (Current law applies only to consumer protection and unfair trade practice cases under ch. 100, Stats.)

This legislation also requires a court to add, to any fine or forfeiture imposed in a consumer protection, unfair trade practice, or weights and measures case under ch. 98 or 100, Stats., a surcharge equal to 15% of the fine or forfeiture. The defendant must pay the surcharge to DATCP, to fund consumer information and education. For a full discussion of the proposal, see the department's issue paper (DIN #5410).

STATUTORY LANGUAGE:

SECTION __. 20.115(1)(ja) and (jb) of the statutes are created to read:

20.115(1)(ja) Enforcement costs. The amounts in the schedule for consumer protection investigation and enforcement. The department shall credit to this appropriation account all amounts which the department receives under s. 93.20 or

100.263(1)(a)1. as recovery of investigative or enforcement costs incurred in connection with actions under ch. 98 or 100, Stats.

20.115(1)(jb) Consumer information and education. All moneys received under s. 100.263(2) for consumer information and education.

SECTION ____ . 20.115(8)(gm) of the statutes is amended to read:

20.115(8)(gm) Enforcement cost recovery. The amounts in the schedule for the purpose of enforcement. Except as provided in s. 20.115(1)(ja) or 93.20(4), all moneys received by the department pursuant to a court order under s. 93.20(2) as reimbursement of enforcement costs, or as part of a settlement agreement or deferred prosecution agreement that includes amounts for enforcement costs described in s. 93.20(3) shall be credited to this appropriation.

SECTION ____ . 20.455(1)(gh) of the statutes is amended to read:

20.455(1)(gh) Investigation and prosecution. The amounts in the schedule for the expenses of investigation and prosecution of violations (including attorneys fees) under ss. 49.49(6), 100.263(1)(a)2., 133.16, 281.98, 283.91(5), 289.96(3), 292.99, 293.87(4), 295.19(3)(b) and 299.97. Ten percent of all moneys received under ss. 49.49(6), 100.263(1)(a)2., 133.16, 281.98, 283.91(5), 289.96(3), 292.99, 293.87(4), 295.19(3)(b) and 299.97, for the expenses of investigation and prosecution of violations, including attorneys fees, shall be credited to this appropriation account. ?
 Note
 not
 needed

SECTION ____ . 100.263 of the statutes is repealed and recreated to read:

100.263 RECOVERY. (1) **ENFORCEMENT COSTS; REDRESS.** In addition to any other penalties or remedies provided under this chapter or ch. 98, a court in an enforcement action brought by the department or the state of Wisconsin under this chapter or ch. 98 may order a defendant to pay any of the following:

(a) The state's reasonable and necessary costs of investigation and prosecution, including attorneys fees. The department and the department of justice shall deposit in the state treasury, to the general fund, all moneys that the court awards under this paragraph except that:

1. Ten percent of the total award shall be credited to the department's appropriation account under s. 20.115(1)(ja).

2. Ten percent of the total award shall be credited to the department of justice appropriation account under s. 20.455(1)(gh).

③ Ten percent of the total award shall be paid to the county in which the case was prosecuted if the case was prosecuted by the county district attorney.

(b) An amount reasonably necessary to remedy the adverse effects of the violation. The court may order payment to persons adversely affected, or to the department or the department of justice for the benefit of persons adversely affected.

The department shall deposit any funds which it receives under this paragraph to the appropriation account under s. 20.115(8)(hm). The department of justice shall deposit any funds which it receives to the appropriation account under s. 20.455(1)(~~gm~~).

(2) CONSUMER INFORMATION; SURCHARGE. In addition to any fine or forfeiture imposed for a violation of this chapter or ch. 98, Stats., a court shall order the defendant to pay to the department an amount equal to 15 percent of the fine or forfeiture. The department shall deposit any funds received under this subsection to the appropriation under s. 20.115(1)(jb) for consumer information and education.



State of Wisconsin
1999 - 2000 LEGISLATURE

RMR

LRB-0063/1

MGG.....

soon

D-Note

(11-17)

PK

DOA:.....Justus - Consumer information assessment

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not get cut

purchases of vegetables and dairy products from farmers

1

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

Under current law, the department of agriculture, trade and consumer protection (DATCP) administers, investigates and enforces certain consumer protection and trade practices laws and prosecutes violations of these laws. These laws include laws prohibiting or regulating methods of competition, fraudulent representations, fraudulent drug advertising, prize notices, mail-order sales, and advertising of telecommunication services. A person found to have violated one of these laws is subject to a forfeiture or a fine.

Under current law, a person is subject to a forfeiture if he or she violates a law relating to weight^s and measures. These include laws against obstructing or hindering a state or local inspector of weights or measures, causing any weight or measure used in the buying or selling of a commodity to be incorrect and removing an official weights and measures inspector's tag from a commodity. If the violation is intentional, the person is subject to a fine.

This bill requires a court to impose an assessment equal to 15% of the fine or forfeiture if the court imposes a fine or forfeiture for a violation of any of these laws. The assessments that are collected are deposited in an appropriation for DATCP to pay for providing consumers with information and education.

or local ordinances enacted pursuant to these laws

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:

1 SECTION 1. 20.115 (1) (jb) of the statutes is created to read:

2 20.115 (1) (jb) *Consumer information and education.* The amounts in the
3 schedule for consumer protection information and education. All moneys received
4 under s. 100.261 shall be credited to this appropriation account.

WFO:
add
1
space

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 353; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (1r), 9130 (4); 1995 a. 227; 1997 a. 27, 237.

5 SECTION 2. 59.25 (3) (f) 2. of the statutes is amended to read:

6 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
7 deposited in the state treasury, the amounts required by s. 165.87 for the penalty
8 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories
9 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the
10 weapons assessment, the amounts required by s. 973.045 for the crime victim and
11 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the
12 delinquency victim and witness assistance surcharge, the amounts required by s.
13 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by
14 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts
15 required by s. 100.261 for the consumer information assessment, the amounts
16 authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse
17 assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment
18 under the supplemental food program for women, infants and children, the amounts
19 required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing

1 improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the
2 driver improvement surcharge, the amounts required by s. 102.85 (4) for the
3 uninsured employer assessment, the amounts required by s. 299.93 for the
4 environmental assessment, the amounts required by s. 29.983 for the wild animal
5 protection assessment, the amounts required by s. 29.987 for the natural resources
6 assessment surcharge, the amounts required by s. 29.985 for the fishing shelter
7 removal assessment, the amounts required by s. 350.115 for the snowmobile
8 registration restitution payment and the amounts required by s. 29.989 for natural
9 resources restitution payments, transmit to the state treasurer a statement of all
10 moneys required by law to be paid on the actions entered during the preceding month
11 on or before the first day of the next succeeding month, certified by the county
12 treasurer's personal signature affixed or attached thereto, and at the same time pay
13 to the state treasurer the amount thereof.

~~NOTE: NOTE: Subd. 2. is shown as affected by four acts of the 1997 legislature and as merged by the revisor under s. 13.93(2) (c). NOTE:
History: 1995 a. 201 ss. 266, 267, 269, 270, 284; 1995 a. 225 ss. 151, 153; 1995 a. 227 s. 202; 1995 a. 269 s. 2; 1995 a. 408 s. 1; 1995 a. 448 s. 60; 1997 a. 27, 35, 135,
211, 237, 248, 13.93 (2) (c).~~

14 **SECTION 3. 59.40 (2) (m) of the statutes is amended to read:**

15 **59.40 (2) (m)** Pay monthly to the treasurer for the use of the state the state's
16 percentage of the fees required to be paid on each civil action, criminal action and
17 special proceeding filed during the preceding month and pay monthly to the
18 treasurer for the use of the state the percentage of court imposed fines and forfeitures
19 required by law to be deposited in the state treasury, the amounts required by s.
20 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s.
21 165.755 for the crime laboratories and drug law enforcement assessment, the
22 amounts required by s. 167.31 (5) for the weapons assessment, the amounts required
23 by s. 973.045 for the crime victim and witness assistance surcharge, the amounts
24 required by s. 938.34 (8d) for the delinquency victim and witness assistance

1 surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis
 2 surcharge, the amounts required by s. 961.41 (5) for the drug abuse program
 3 improvement surcharge, the amounts required by s. 100.261 for the consumer
 4 information assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required
 5 by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by
 6 s. 253.06 (4) (c) for the enforcement assessment under the supplemental food
 7 program for women, infants and children, the amounts required by ss. 346.177,
 8 346.495 and 346.65 (4r) for the railroad crossing improvement assessment, the
 9 amounts required by s. 346.655 for the driver improvement surcharge, the amounts
 10 required by s. 102.85 (4) for the uninsured employer assessment, the amounts
 11 required by s. 299.93 for the environmental assessment, the amounts required under
 12 s. 29.983 for the wild animal protection assessment, the amounts required under s.
 13 29.987 (1) (d) for the natural resources assessment surcharge, the amounts required
 14 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.
 15 350.115 for the snowmobile registration restitution payment and the amounts
 16 required under s. 29.989 (1) (d) for the natural resources restitution payments. The
 17 payments shall be made by the 15th day of the month following receipt thereof.

NOTE: NOTE: Par. (m) is shown as affected by four acts of the 1997 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:

History: 1995 a. 27 ss. 3290, 3291; 1995 a. 201 ss. 311 to 318, 320 to 322, 325; 1995 a. 224 ss. 11 to 13; 1995 a. 227 s. 203; 1995 a. 279 s. 8; 1995 a. 404 s. 185; 1995 a.
 438, 1995 a. 448 s. 61; Supp. Ct. Order No. 96 08, 202 W (2d) xv (4/9/97); 1997 a. 3, 12; 1997 a. 32 ss. 185, 186; 1987 a. 39, 133, 148, 191, 237, 248, 252; s. 13.93 (2) (c).

18 **SECTION 4. 66.119 (1) (b) 7. c. of the statutes is amended to read:**
 19 66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does
 20 not appear in court, he or she either will be deemed to have tendered a plea of no
 21 contest and submitted to a forfeiture, a penalty assessment imposed by s. 165.87, a
 22 jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law
 23 enforcement assessment imposed by s. 165.755, any applicable consumer
 24 information assessment imposed by s. 100.261 and any applicable domestic abuse

1 assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will
2 be summoned into court to answer the complaint if the court does not accept the plea
3 of no contest.

History: 1975 c. 201, 421; 1977 c. 29, 305; 1979 c. 32 s. 92 (8), (17); 1979 c. 151, 355; 1987 a. 27, 389; 1989 a. 107; 1991 a. 39, 40, 128, 189, 315; 1993 a. 16, 167; 1995 a. 349; 1997 a. 27.

4 **SECTION 5.** 66.119 (1) (b) 7. d. of the statutes is amended to read:

5 66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and
6 does not appear in court at the time specified, the court may issue a summons or a
7 warrant for the defendant's arrest or consider the nonappearance to be a plea of no
8 contest and enter judgment under sub. (3) (d), or the municipality may commence an
9 action against the alleged violator to collect the forfeiture, the penalty assessment
10 imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), the crime
11 laboratories and drug law enforcement assessment imposed by s. 165.755, any
12 applicable consumer information assessment imposed by s. 100.261 and any
13 applicable domestic abuse assessment imposed by s. 973.055 (1).

History: 1975 c. 201, 421; 1977 c. 29, 305; 1979 c. 32 s. 92 (8), (17); 1979 c. 151, 355; 1987 a. 27, 389; 1989 a. 107; 1991 a. 39, 40, 128, 189, 315; 1993 a. 16, 167; 1995 a. 349; 1997 a. 27.

14 **SECTION 6.** 66.119 (1) (c) of the statutes is amended to read:

15 66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of
16 cash deposits that are to be required for the various ordinance violations, and for the
17 penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46
18 (1), the crime laboratories and drug law enforcement assessment imposed by s.
19 165.755, any applicable consumer information assessment imposed by s. 100.261
20 and any applicable domestic abuse assessment imposed by s. 973.055 (1), for which
21 a citation may be issued. The ordinance shall also specify the court, clerk of court

1 or other official to whom cash deposits are to be made and shall require that receipts
2 be given for cash deposits.

~~History: 1975 c. 201, 421; 1977 c. 29, 305; 1979 c. 32 s. 92 (8), (17); 1979 c. 151, 355; 1987 a. 27, 389; 1989 a. 107; 1991 a. 39, 40, 128, 189, 315; 1993 a. 16, 167; 1995 a. 349; 1997 a. 27.~~

3 SECTION 7. 66.119 (3) (a) of the statutes is amended to read:

4 66.119 (3) (a) The person named as the alleged violator in a citation may appear
5 in court at the time specified in the citation or may mail or deliver personally a cash
6 deposit in the amount, within the time and to the court, clerk of court or other official
7 specified in the citation. If a person makes a cash deposit, the person may
8 nevertheless appear in court at the time specified in the citation, provided that the
9 cash deposit may be retained for application against any forfeiture, restitution,
10 penalty assessment, jail assessment, crime laboratories and drug law enforcement
11 assessment ~~or~~ consumer information assessment or domestic abuse assessment that
12 may be imposed. *underscore space*

~~History: 1975 c. 201, 421; 1977 c. 29, 305; 1979 c. 32 s. 92 (8), (17); 1979 c. 151, 355; 1987 a. 27, 389; 1989 a. 107; 1991 a. 39, 40, 128, 189, 315; 1993 a. 16, 167; 1995 a. 349; 1997 a. 27.~~

13 SECTION 8. 66.119 (3) (b) of the statutes is amended to read:

14 66.119 (3) (b) If a person appears in court in response to a citation, the citation
15 may be used as the initial pleading, unless the court directs that a formal complaint
16 be made, and the appearance confers personal jurisdiction over the person. The
17 person may plead guilty, no contest or not guilty. If the person pleads guilty or no
18 contest, the court shall accept the plea, enter a judgment of guilty and impose a
19 forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed
20 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
21 imposed by s. 165.755, any applicable consumer information assessment imposed by
22 s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1).
23 If the court finds that the violation meets the conditions in s. 800.093 (1), the court

1 may order restitution under s. 800.093. A plea of not guilty shall put all matters in
2 the case at issue, and the matter shall be set for trial.

3 History: 1975 c. 201, 421; 1977 c. 29, 305; 1979 c. 32 s. 92 (8), (17); 1979 c. 151, 355; 1987 a. 27, 389; 1989 a. 187; 1991 a. 39, 40, 128, 189, 315; 1993 a. 16, 167; 1995
a. 349; 1997 a. 27
3 **SECTION 9. 66.119 (3) (c) of the statutes is amended to read:**

4 66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear
5 in court, the citation may serve as the initial pleading and the violator shall be
6 considered to have tendered a plea of no contest and submitted to a forfeiture, the
7 penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46
8 (1), the crime laboratories and drug law enforcement assessment imposed by s.
9 165.755, any applicable consumer information assessment imposed by s. 100.261
10 and any applicable domestic abuse assessment imposed by s. 973.055 (1) not
11 exceeding the amount of the deposit. The court may either accept the plea of no
12 contest and enter judgment accordingly or reject the plea. If the court finds the
13 violation meets the conditions in s. 800.093 (1), the court may summon the alleged
14 violator into court to determine if restitution shall be ordered under s. 800.093. If
15 the court accepts the plea of no contest, the defendant may move within 10 days after
16 the date set for the appearance to withdraw the plea of no contest, open the judgment
17 and enter a plea of not guilty if the defendant shows to the satisfaction of the court
18 that the failure to appear was due to mistake, inadvertence, surprise or excusable
19 neglect. If the plea of no contest is accepted and not subsequently changed to a plea
20 of not guilty, no costs or fees may be taxed against the violator, but a penalty
21 assessment, a jail assessment, a crime laboratories and drug law enforcement
22 assessment and, if applicable, a consumer information assessment or a domestic
23 abuse assessment shall be assessed. If the court rejects the plea of no contest, an
24 action for collection of the forfeiture, penalty assessment, jail assessment, crime

1 laboratories and drug law enforcement assessment, any applicable information
 2 assessment and any applicable domestic abuse assessment may be commenced. A
 3 city, village, town sanitary district or public inland lake protection and rehabilitation
 4 district may commence action under s. 66.12 (1) and a county or town may commence
 5 action under s. 778.10. The citation may be used as the complaint in the action for
 6 the collection of the forfeiture, penalty assessment, jail assessment, crime
 7 laboratories and drug law enforcement assessment, any applicable consumer
 8 information assessment and any applicable domestic abuse assessment.

History: 1975 c. 201, 421; 1977 c. 29, 305; 1979 c. 52 s. 92 (8), (17); 1979 c. 131, 355; 1987 a. 27, 289; 1989 a. 107; 1991 a. 39, 40, 128, 189, 115; 1993 a. 16, 167; 1995 a. 349; 1997 a. 27

9 **SECTION 10.** 66.119 (3) (d) of the statutes is amended to read:

10 66.119 (3) (d) If the alleged violator does not make a cash deposit and fails to
 11 appear in court at the time specified in the citation, the court may issue a summons
 12 or warrant for the defendant's arrest or consider the nonappearance to be a plea of
 13 no contest and enter judgment accordingly if service was completed as provided
 14 under par. (e) or the county, town, city, village, town sanitary district or public inland
 15 lake protection and rehabilitation district may commence an action for collection of
 16 the forfeiture, penalty assessment, jail assessment and crime laboratories and drug
 17 law enforcement assessment, any applicable consumer information assessment and
 18 any applicable domestic abuse assessment. A city, village, town sanitary district or
 19 public inland lake protection and rehabilitation district may commence action under
 20 s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation
 21 may be used as the complaint in the action for the collection of the forfeiture, penalty
 22 assessment, jail assessment and crime laboratories and drug law enforcement
 23 assessment, any applicable consumer information assessment and any applicable
 24 domestic abuse assessment. If the court considers the nonappearance to be a plea

1 of no contest and enters judgment accordingly, the court shall promptly mail a copy
2 or notice of the judgment to the defendant. The judgment shall allow the defendant
3 not less than 20 days from the date of the judgment to pay any forfeiture, penalty
4 assessment, jail assessment and crime laboratories and drug law enforcement
5 assessment, any applicable consumer information assessment and any applicable
6 domestic abuse assessment imposed. If the defendant moves to open the judgment
7 within 6 months after the court appearance date fixed in the citation, and shows to
8 the satisfaction of the court that the failure to appear was due to mistake,
9 inadvertence, surprise or excusable neglect, the court shall reopen the judgment,
10 accept a not guilty plea and set a trial date.

History: 1975 c. 201, 421; 1977 c. 29, 303; 1979 c. 32 s. 92 (8), (17); 1979 c. 151, 353; 1987 s. 27, 383; 1989 s. 107; 1991 s. 39, 40, 123, 189, 218; 1993 s. 16, 167; 1995
a. 349; 1997 a. 07

11 **SECTION 11.** 66.12 (1) (b) of the statutes is amended to read:

12 66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss.
13 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any
14 or all violations under those ordinances, and may designate the manner in which the
15 stipulation is to be made and fix the penalty to be paid. When a person charged with
16 a violation for which stipulation of guilt or no contest is authorized makes a timely
17 stipulation and pays the required penalty and pays the penalty assessment imposed
18 by s. 165.87, the jail assessment imposed by s. 302.46 (1), the crime laboratories and
19 drug law enforcement assessment imposed by s. 165.755, any applicable consumer
20 information assessment imposed by s. 100.261 and any applicable domestic abuse
21 assessment imposed by s. 973.055 (1) to the designated official, the person need not
22 appear in court and no witness fees or other additional costs may be taxed unless the
23 local ordinance so provides. A court appearance is required for a violation of a local
24 ordinance in conformity with s. 346.63 (1). The official receiving the penalties shall

1 remit all moneys collected to the treasurer of the city, village, town sanitary district
 2 or public inland lake protection and rehabilitation district in whose behalf the sum
 3 was paid, except that all jail assessments shall be remitted to the county treasurer,
 4 within 20 days after its receipt by him or her; and in case of any failure in the
 5 payment, the treasurer may collect the payment of the officer by action, in the name
 6 of the office, and upon the official bond of the officer, with interest at the rate of 12%
 7 per year from the time when it should have been paid. In the case of the penalty
 8 assessment imposed by s. 165.87, the crime laboratories and drug law enforcement
 9 assessment imposed by s. 165.755, the driver improvement surcharge imposed by s.
 10 346.655 (1), any applicable consumer information assessment imposed by s. 100.261
 11 and any applicable domestic abuse assessment imposed by s. 973.055 (1), the
 12 treasurer of the city, village, town sanitary district or public inland lake protection
 13 and rehabilitation district shall remit to the state treasurer the sum required by law
 14 to be paid on the actions so entered during the preceding month on or before the first
 15 day of the next succeeding month. The governing body of the city, village, town
 16 sanitary district or public inland lake protection and rehabilitation district shall by
 17 ordinance designate the official to receive the penalties and the terms under which
 18 the official shall qualify.

History: 1971 c. 278; 1973 c. 336; 1975 c. 231; 1977 c. 29, 182, 269, 372, 305, 418, 447, 449; 1979 c. 32, 92 (17); 1979 c. 110 s. 60 (13); 1979 c. 331; 1981 c. 20, 317; 1983 a. 418 s. 8; 1987 a. 21, 269; Sup. Ct. Order, 146 W. 2d xiii (1988); 1989 a. 101; 1991 a. 39, 40, 189; 1993 a. 16, 167, 246, 421; 1995 a. 201, 349; 1997 a. 21

SECTION 12. 100.261 of the statutes is created to read:

20 **100.261 Consumer information assessment. (1)** If a court imposes a fine
 21 or forfeiture for a violation of ch. 98 or this chapter, the court shall also impose a
 22 consumer information assessment in an amount equal to 15% of the fine or forfeiture
 23 imposed. If multiple violations are involved, the court shall base the consumer
 24 information assessment upon the the total of the fine or forfeiture amounts for all

*this chapter, ch. 98, a rule promulgated under this chapter
 or ch. 98 or an ordinance enacted under this chapter or ch. 98*

① ~~offenses~~ ^{violations}. If a fine or forfeiture is suspended in whole or in part, the court shall reduce
2 the assessment in proportion to the suspension.

3 (2) If any deposit is made for a violation to which this section applies, the person
4 making the ~~defendant~~ shall also deposit a sufficient amount to include the consumer
5 information assessment required under this section. If the deposit is forfeited, the
6 amount of the consumer information assessment shall be transmitted to the state
7 treasurer under sub. (3). If the deposit is returned, the ~~wild animal protection~~
8 assessment shall also be returned.

deposit

consumer information

9 (3) The clerk of ~~court~~ shall collect and transmit the consumer information
10 assessment amounts to the county treasurer under s. 59.40 (2) (m). The county
11 treasure shall then make payment to the state treasurer under s. 59.25 (3) (f) 2. The
12 state treasure shall deposit the assessment amounts in the general fund, and the
13 amounts shall be credited to appropriation account under s. 200⁽¹⁾.115 (jb).

SECTION 13. 778.02 of the statutes is amended to read:

15 **778.02 Action in name of state; complaint; attachment.** Every such
16 forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to
17 allege in the complaint that the defendant is indebted to the plaintiff in the amount
18 of the forfeiture claimed, according to the provisions of the statute that imposes it,
19 specifying the statute and for the penalty assessment imposed by s. 165.87, the jail
20 assessment imposed by s. 302.46 (1), the crime laboratories and drug law
21 enforcement assessment imposed by s. 165.755, the enforcement assessment
22 imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer information
23 assessment imposed by s. 100.261 and any applicable domestic abuse assessment
24 imposed by s. 973.055 (1). If the statute imposes a forfeiture for several offenses or
25 delinquencies the complaint shall specify the particular offense or delinquency for

1 which the action is brought, with a demand for judgment for the amount of the
2 forfeiture, penalty assessment, jail assessment, crime laboratories and drug law
3 enforcement assessment, any applicable enforcement assessment, any applicable
4 consumer information assessment and any applicable domestic abuse assessment.

5 If the defendant is a nonresident of the state, an attachment may issue.

6 ~~History: 1977 c. 29; 1979 c. 32 s. 56; Stats. 1979 s. 778.02; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.~~

SECTION 14. 778.03 of the statutes is amended to read:

7 **778.03 Complaint to recover forfeited goods.** In an action to recover
8 property forfeited by any statute it shall be sufficient to allege in the complaint that
9 the property has been forfeited, specifying the statute, with a demand of judgment
10 for the delivery of the property, or the value thereof and for payment of the penalty
11 assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), the
12 crime laboratories and drug law enforcement assessment imposed by s. 165.755, the
13 enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable
14 consumer information assessment imposed by s. 100.261 and any applicable
15 domestic abuse assessment imposed by s. 973.055 (1).

16 ~~History: 1977 c. 29; 1979 c. 32 s. 56; Stats. 1979 s. 778.03; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.~~

SECTION 15. 778.06 of the statutes is amended to read:

17 **778.06 Action for what sum.** When a forfeiture is imposed, not exceeding a
18 specific sum or when it is not less than one sum or more than another, the action may
19 be brought for the highest sum specified and for the penalty assessment imposed by
20 s. 165.87, the jail assessment imposed by s. 302.46 (1), the crime laboratories and
21 drug law enforcement assessment imposed by s. 165.755, the enforcement
22 assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer
23 information assessment imposed by s. 100.261 and any applicable domestic abuse

1 assessment imposed by s. 973.055 (1); and judgment may be rendered for such sum
2 as the court or jury shall assess or determine to be proportionate to the offense.

~~History: 1977 c. 29; 1979 c. 32 s. 56; Stats. 1979 s. 778.06; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.~~

3 **SECTION 16.** 778.10 of the statutes is amended to read:

4 **778.10 Municipal forfeitures, how recovered.** All forfeitures imposed by
5 any ordinance or regulation of any county, town, city or village, or of any other
6 domestic corporation may be sued for and recovered, under this chapter, in the name
7 of the county, town, city, village or corporation. It is sufficient to allege in the
8 complaint that the defendant is indebted to the plaintiff in the amount of the
9 forfeiture claimed, specifying the ordinance or regulation that imposes it and of the
10 penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46
11 (1), the crime laboratories and drug law enforcement assessment imposed by s.
12 165.755, any applicable consumer information assessment imposed by s. 100.261
13 and any applicable domestic abuse assessment imposed by s. 973.055 (1). If the
14 ordinance or regulation imposes a penalty or forfeiture for several offenses or
15 delinquencies the complaint shall specify the particular offenses or delinquency for
16 which the action is brought, with a demand for judgment for the amount of the
17 forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed
18 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
19 imposed by s. 165.755, any applicable consumer information assessment imposed by
20 s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1).
21 All moneys collected on the judgment shall be paid to the treasurer of the county,
22 town, city, village or corporation, except that all jail assessments shall be paid to the
23 county treasurer.

~~History: 1977 c. 29; 1979 c. 32 s. 56; Stats. 1979 s. 778.10; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.~~

24 **SECTION 17.** 778.105 of the statutes is amended to read:

1 **778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by
 2 any court or any branch thereof for the violation of any municipal or county
 3 ordinance shall be paid to the municipality or county. Penalty assessment payments
 4 shall be made as provided in s. 165.87. Jail assessment payments shall be made as
 5 provided in s. 302.46 (1). Crime laboratories and drug law enforcement assessment
 6 payments shall be paid as provided in s. 165.755. Domestic abuse assessments shall
 7 be made as provided in s. 973.055. Consumer information assessments ^{payments} shall be made
 8 as provided in s. 100.261.

9 History: 1977 a. 29; 1979 c. 32 s. 36; Stats. 1979 s. 778.105; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.

SECTION 18. 778.13 of the statutes is amended to read:

10 **778.13 Forfeitures collected, to whom paid.** All moneys collected in favor
 11 of the state for forfeiture, except the portion to be paid to any person who sues with
 12 the state, shall be paid by the officer who collects the forfeiture to the treasurer of the
 13 county within which the forfeiture was incurred within 20 days after its receipt. In
 14 case of any failure in the payment the county treasurer may collect the payment of
 15 the officer by action, in the name of the office and upon the official bond of the officer,
 16 with interest at the rate of 12% per year from the time when it should have been paid.
 17 Penalty assessment payments shall be made as provided in s. 165.87. Jail
 18 assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories
 19 and drug law enforcement assessment payments shall be paid as provided in s.
 20 165.755. Domestic abuse assessments shall be made as provided in s. 973.055.
 21 Enforcement assessments shall be made as provided in s. 253.06 (4) (c). Consumer
 22 information assessments ^{payments} shall be made as provided in s. 100.261.

23 History: 1977 c. 29; 1979 c. 32 s. 56; 1979 c. 110 s. 60 (13); Stats. 1979 s. 778.13; 1983 a. 192; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.

SECTION 19. 778.18 of the statutes is amended to read:

1 **778.18 Penalty upon municipal judge.** If any municipal judge, of his or her
2 own will, dismisses any action brought before the judge under this chapter, unless
3 by order of the district attorney or attorney general or the person joined as plaintiff
4 with the state, or renders a less judgment therein than is prescribed by law, or
5 releases or discharges any such judgment or part thereof without payment or
6 collection, the judge and the judge's sureties shall be liable, in an action upon the
7 judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture
8 imposed by the judge and for the penalty assessment imposed by s. 165.87, the jail
9 assessment imposed by s. 302.46 (1), the crime laboratories and drug law
10 enforcement assessment imposed by s. 165.755, any applicable consumer
11 information assessment imposed by s. 100.261 and any applicable domestic abuse
12 assessment imposed by s. 973.055 (1), or for an amount equal to the amount in which
13 any such judgment or any part thereof is released or discharged. If any municipal
14 judge gives time or delay to any person against whom any such judgment is rendered
15 by the judge, or takes any bond or security for its future payment, the judge and the
16 judge's sureties shall also be liable for the payment of the judgment upon the judge's
17 bond.

18 History: 1977 c. 29, 1979 c. 32 s. 36; Stats. 1979 s. 778.18; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.

SECTION 20. 800.02 (2) (a) 8. of the statutes is amended to read:

19 800.02 (2) (a) 8. Notice that if the defendant makes a deposit and fails to appear
20 in court at the time fixed in the citation, the defendant is deemed to have tendered
21 a plea of no contest and submits to a forfeiture, penalty assessment, jail assessment
22 and crime laboratories and drug law enforcement assessment, any applicable
23 consumer information assessment and any applicable domestic abuse assessment
24 plus costs, including the fee prescribed in s. 814.65 (1), not to exceed the amount of

1 the deposit. The notice shall also state that the court may decide to summon the
2 defendant rather than accept the deposit and plea.

History: 1977 c. 305; 1979 c. 22; 1979 c. 32 s. 68; 1979 c. 266; Stats. 1979 s. 800.02; 1981 c. 317; 1983 a. 535; 1987 a. 27; 1987 a. 200 s. 4; 1987 a. 389; 1989 a. 170; 1991 a. 39, 40; 1993 a. 16, 112, 320, 437; 1997 a. 27.

3 **SECTION 21.** 800.02 (3) (a) 5. of the statutes is amended to read:

4 800.02 (3) (a) 5. A plain and concise statement of the violation identifying the
5 event or occurrence from which the violation arose and showing that the plaintiff is
6 entitled to relief, the ordinance, resolution or bylaw upon which the cause of action
7 is based and a demand for a forfeiture, the amount of which shall not exceed the
8 maximum set by the statute involved, the penalty assessment, the jail assessment,
9 the crime laboratories and drug law enforcement assessment, any applicable
10 consumer information assessment, any applicable domestic abuse assessment and
11 such other relief that is sought by the plaintiff.

History: 1977 c. 305; 1979 c. 22; 1979 c. 32 s. 68; 1979 c. 266; Stats. 1979 s. 800.02; 1981 c. 317; 1983 a. 535; 1987 a. 27; 1987 a. 200 s. 4; 1987 a. 389; 1989 a. 170; 1991 a. 39, 40; 1993 a. 16, 112, 320, 437; 1997 a. 27.

12 **SECTION 22.** 800.03 (3) of the statutes is amended to read:

13 800.03 (3) The amount of the deposit shall be set by the municipal judge, but
14 shall not be effective until approved by the governing body of the municipality. The
15 amount shall not exceed the maximum penalty for the offense, including any penalty
16 assessment that would be applicable under s. 165.87, any jail assessment that would
17 be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement
18 assessment that would be applicable under s. 165.755, any consumer information
19 assessment that would be applicable under s. 100.261 and any domestic abuse
20 assessment that would be applicable under s. 973.055 (1), plus court costs, including
21 the fee prescribed in s. 814.65 (1).

History: 1977 c. 305; 1979 c. 32 ss. 68, 92 (17); Stats. 1979 s. 800.03; 1981 c. 317; 1983 a. 535; 1985 a. 29; 1987 a. 27; 1989 a. 107, 170; 1991 a. 39, 40; 1993 a. 16, 437; 1997 a. 27.

22 **SECTION 23.** 800.04 (2) (b) of the statutes is amended to read:

1 800.04 (2) (b) If the municipal judge determines that the defendant should not
2 be released under par. (a) and the defendant is charged with a traffic or boating
3 violation, the municipal judge shall release the defendant on a deposit in the amount
4 established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66.
5 For other violations, the municipal judge shall establish a deposit in an amount not
6 to exceed the maximum penalty for the offense, including any penalty assessment
7 that would be applicable under s. 165.87, any jail assessment that would be
8 applicable under s. 302.46 (1), any crime laboratories and drug law enforcement
9 assessment that would be applicable under s. 165.755, any consumer information
10 assessment that would be applicable under s. 100.261 and any domestic abuse
11 assessment that would be applicable under s. 973.055 (1). If the judge in a 1st class
12 city determines that a defendant appearing before the judge through interactive
13 video and audio transmission should not be released under par. (a), the judge shall
14 inform the defendant that he or she has the right to appear personally before a judge
15 for a determination, not prejudiced by the first appearance, as to whether he or she
16 should be released without a deposit. On failure of the defendant to make a deposit
17 under this paragraph, he or she may be committed to jail pending trial only if the
18 judge finds that there is a reasonable basis to believe the person will not appear in
19 court.

History: 1977 c. 305; 1979 c. 32 ss. 68, 92 (17); 1979 c. 175 s. 50; Stats. 1979 s. 800.04; 1981 c. 185, 317; 1987 a. 27, 267, 389; 1989 a. 105, 107, 261; 1991 a. 39, 46, 182;
1993 a. 16; Sup. Ct. Order No. 95-10, 197 W (2d) xiii (1996); 1995 a. 224; 1997 a. 27.

20 **SECTION 24.** 800.04 (2) (c) of the statutes is amended to read:

21 800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03
22 and does not appear, he or she is deemed to have tendered a plea of no contest and
23 submits to a forfeiture, a penalty assessment imposed by s. 165.87, a jail assessment
24 imposed by s. 302.46 (1), a crime laboratories and drug law enforcement assessment

1 imposed by s. 165.755, any applicable consumer information assessment imposed by
 2 s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1)
 3 plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the amount of
 4 the deposit. The court may either accept the plea of no contest and enter judgment
 5 accordingly, or reject the plea and issue a summons. If the court finds that the
 6 violation meets the conditions in s. 800.093 (1), the court may summon the alleged
 7 violator into court to determine if restitution shall be ordered under s. 800.093. If
 8 the defendant fails to appear in response to the summons, the court shall issue a
 9 warrant under s. 968.09. If the defendant has made a deposit but does appear, the
 10 court shall allow the defendant to withdraw the plea of no contest.

History: 1977 c. 305; 1979 c. 32 ss. 68, 92 (17); 1979 c. 175 s. 50; Stats. 1979 s. 800.04; 1981 c. 183, 317; 1987 a. 27, 267, 389; 1989 a. 105, 107, 261; 1991 a. 39, 40, 189; 1993 a. 16; Sup. Ct. Order No. 95-10, 197 W (2d) xiii (1996); 1995 a. 224; 1997 a. 27.

11 **SECTION 25.** 800.09 (1) (intro.) of the statutes is amended to read:

12 **800.09 (1) JUDGMENT.** (intro.) If a municipal court finds a defendant guilty it
 13 may render judgment by ordering restitution under s. 800.093 and payment of a
 14 forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed
 15 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
 16 imposed by s. 165.755, any applicable consumer information assessment imposed by
 17 s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1)
 18 plus costs of prosecution, including the fee prescribed in s. 814.65 (1). The court shall
 19 apply any payment received on a judgment that includes restitution to first satisfy
 20 any payment of restitution ordered, then to pay the forfeiture, assessments and
 21 costs. If the judgment is not paid, the court may proceed under par. (a), (b) or (c) or
 22 any combination of those paragraphs, as follows:

History: 1977 c. 305; 1979 c. 32 s. 68; Stats. 1979 s. 800.09; 1981 c. 317; 1985 a. 179; 1987 a. 27, 389; 1987 a. 399 s. 494; 1989 a. 107; 1991 a. 39, 40, 189; 1993 a. 16; 1997 a. 27, 84.

23 **SECTION 26.** 800.09 (1) (a) of the statutes is amended to read:

1 800.09 (1) (a) The court may defer payment of any judgment or provide for
2 instalment payments. At the time the judgment is rendered, the court shall inform
3 the defendant, orally and in writing, of the date by which restitution and the
4 payment of the forfeiture, the penalty assessment, the jail assessment, the crime
5 laboratories and drug law enforcement assessment, any applicable consumer
6 information assessment and any applicable domestic abuse assessment plus costs
7 must be made, and of the possible consequences of failure to do so in timely fashion,
8 including imprisonment, as provided in s. 800.095, or suspension of the defendant's
9 motor vehicle operating privilege, as provided in par. (c), if applicable. If the
10 defendant is not present, the court shall ensure that the information is sent to the
11 defendant by mail. In 1st class cities, all of the written information required by this
12 paragraph shall be printed in English and Spanish and provided to each defendant.

History: 1977 c. 365; 1979 c. 22 s. 08; Stats. 1979 s. 800.09; 1981 c. 317; 1985 a. 179; 1987 a. 27, 389; 1987 a. 399; 1987 a. 494a; 1989 a. 107; 1991 a. 39, 40, 189; 1993 a. 16;
1997 a. 27, 84.

13 **SECTION 27.** 800.09 (2) (b) of the statutes is amended to read:

14 800.09 (2) (b) If the person charged fails to appear personally or by an attorney
15 at the time fixed for hearing of the case, the defendant may be deemed to have
16 entered a plea of no contest and the money deposited, if any, or such portion thereof
17 as the court determines to be an adequate penalty, plus the penalty assessment, the
18 jail assessment, the crime laboratories and drug law enforcement assessment, any
19 applicable consumer information assessment and any applicable domestic abuse
20 assessment plus costs, including the fee prescribed in s. 814.65 (1), may be declared
21 forfeited by the court or may be ordered applied upon the payment of any penalty
22 which may be imposed, together with the penalty assessment, the jail assessment,
23 the crime laboratories and drug law enforcement assessment, any applicable
24 consumer information assessment and any applicable domestic abuse assessment

1 plus costs. If the court finds that the violation meets the conditions in s. 800.093 (1),
2 the court may summon the alleged violator into court to determine if restitution shall
3 be ordered under s. 800.093. Any money remaining after payment of any penalties,
4 assessments, costs and restitution shall be refunded to the person who made the
5 deposit.

History: 1977 c. 305, 1979 c. 22 s. 68, Stats. 1979 s. 800.09; 1981 c. 317; 1985 a. 179; 1987 a. 27, 389; 1987 a. 399 s. 49; 1989 a. 107; 1991 a. 29, 40, 189; 1992 a. 16; 1997 a. 27, 84.

6 SECTION 28. 800.10 (2) of the statutes is amended to read:

7 800.10 (2) All forfeitures, fees, penalty assessments, crime laboratories and
8 drug law enforcement assessments, consumer information assessments, domestic
9 abuse assessments and costs paid to a municipal court under a judgment before a
10 municipal judge shall be paid to the municipal treasurer within 7 days after receipt
11 of the money by a municipal judge or other court personnel. At the time of the
12 payment, the municipal judge shall report to the municipal treasurer the title of the
13 action, the offense for which a forfeiture was imposed and the total amount of the
14 Crime laboratories and drug law enforcement assessments,
forfeiture, fees, penalty assessments, consumer information assessments, domestic
15 abuse assessments and costs, if any. The treasurer shall disburse the fees as
16 provided in s. 814.65 (1). All jail assessments paid to a municipal court under a
17 judgment before a municipal judge shall be paid to the county treasurer within 7
18 days after receipt of the money by a municipal judge or other court personnel.

History: 1981 c. 312, 1987 a. 27, 1991 a. 39; 1992 a. 16.

19 SECTION 29. 800.12 (2) of the statutes is amended to read:

20 800.12 (2) A municipality may by ordinance provide that a municipal judge
21 may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50
22 or, upon nonpayment of the forfeiture, penalty assessment under s. 165.87, jail
23 assessment under s. 302.46 and, crime laboratories and drug law enforcement
24 assessment under s. 165.755, any applicable consumer information assessment

1 under s. 100.261 and any applicable domestic abuse assessment under s. 973.055 (1),
2 a jail sentence not to exceed 7 days.

3 History: 1977 c. 305, 1979 c. 32 s. 68, 1979 c. 267, Stats. 1979 s. 800.12, 1987 a. 27, 1989 a. 107, 1991 a. 39, 1993 b. 16, 1997 a. 27.

SECTION 30. 814.60 (2) (ai) of the statutes is created to read:

4

814.60 (2) (ai) Consumer information assessment imposed by ~~s.~~ 100.261.

5

SECTION 31. 814.63 (3) (ai) of the statutes is created to read:

6

814.63 (3) (ai) Consumer information assessment imposed by ~~s.~~ 100.261.

7

SECTION 32. 973.05 (1) of the statutes is amended to read:

8

973.05 (1) When a defendant is sentenced to pay a fine, the court may grant

9

permission for the payment of the fine, of the penalty assessment imposed by s.

10

165.87, the jail assessment imposed by s. 302.46 (1), the crime victim and witness

11

assistance surcharge under s. 973.045, the crime laboratories and drug law

12

enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid

13

analysis surcharge under s. 973.046, any applicable drug abuse program

14

improvement surcharge imposed by s. 961.41 (5), any applicable consumer

15

information assessment imposed by s. 100.261, any applicable domestic abuse

16

assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver

17

improvement surcharge imposed by s. 346.655, any applicable enforcement

18

assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed

19

by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),

20

any applicable environmental assessment imposed by s. 299.93, any applicable wild

21

animal protection assessment imposed by s. 29.983, any applicable natural resources

22

assessment imposed by s. 29.987 and any applicable natural resources restitution

23

payment imposed by s. 29.989 to be made within a period not to exceed 60 days. If

24

no such permission is embodied in the sentence, the fine, the penalty assessment, the

1 jail assessment, the crime victim and witness assistance surcharge, the crime
2 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
3 acid analysis surcharge, any applicable drug abuse program improvement
4 surcharge, any applicable consumer information assessment, any applicable
5 domestic abuse assessment, any applicable driver improvement surcharge, any
6 applicable enforcement assessment, any applicable weapons assessment, any
7 applicable uninsured employer assessment, any applicable environmental
8 assessment, any applicable wild animal protection assessment, any applicable
9 natural resources assessment and any applicable natural resources restitution
10 payment shall be payable immediately.

NOTE: NOTE: Sub. (2) is shown as affected by three acts of the 1997 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:

History: 1977 c. 29; 1979 c. 64, 114; 1981 c. 20, 88, 352; 1983 s. 27, 536; 1985 a. 36; 1987 a. 27, 339, 398; 1989 a. 64, 107, 359; 1991 a. 39; 1993 a. 16, 1998 a. 227, 438, 448; 1997 a. 3, 27, 35, 148, 248; s. 13.93 (2) (c).

11 **SECTION 33. 973.05 (2) of the statutes is amended to read:**

12 **973.05 (2)** When a defendant is sentenced to pay a fine and is also placed on
13 probation, the court may make the payment of the fine, the penalty assessment, the
14 jail assessment, the crime victim and witness assistance surcharge, the crime
15 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
16 acid analysis surcharge, any applicable drug abuse program improvement
17 surcharge, any applicable consumer information assessment, any applicable
18 domestic abuse assessment, any applicable uninsured employer assessment, any
19 applicable driver improvement surcharge, any applicable enforcement assessment
20 under s. 253.06 (4) (c), any applicable weapons assessment, any applicable
21 environmental assessment, any applicable wild animal protection assessment, any
22 applicable natural resources assessment and any applicable natural resources
23 restitution payments a condition of probation. When the payments are made a
24 condition of probation by the court, payments thereon shall be applied first to

1 payment of the penalty assessment until paid in full, shall then be applied to the
 2 payment of the jail assessment until paid in full, shall then be applied to the payment
 3 of part A of the crime victim and witness assistance surcharge until paid in full, shall
 4 then be applied to part B of the crime victim and witness assistance surcharge until
 5 paid in full, shall then be applied to the crime laboratories and drug law enforcement
 6 assessment until paid in full, shall then be applied to the deoxyribonucleic acid
 7 analysis surcharge until paid in full, shall then be applied to the drug abuse
 8 improvement surcharge until paid in full, shall then be applied to payment of the
 9 driver improvement surcharge until paid in full, shall then be applied to payment
 10 of the domestic abuse assessment until paid in full, shall then be applied to payment
 11 of the consumer information assessment until paid in full, shall then be applied to
 12 payment of the natural resources assessment if applicable until paid in full, shall
 13 then be applied to payment of the natural resources restitution payment until paid
 14 in full, shall then be applied to the payment of the environmental assessment if
 15 applicable until paid in full, shall then be applied to the payment of the wild animal
 16 protection assessment if applicable until paid in full, shall then be applied to
 17 payment of the weapons assessment until paid in full, shall then be applied to
 18 payment of the uninsured employer assessment until paid in full, shall then be
 19 applied to payment of the enforcement assessment under s. 253.06 (4) (c), if
 20 applicable, until paid in full and shall then be applied to payment of the fine.

History: 1977 c. 29; 1979 c. 34, 111; 1981 c. 20, 88, 352; 1983 a. 27, 535; 1985 a. 36; 1987 a. 27, 339, 398; 1989 a. 64, 107, 259; 1991 a. 39; 1993 a. 16; 1995 a. 227, 438, 448; 1997 a. 3, 27, 35, 148, 248; s. 13.93 (2) (b)

21 **SECTION 34. 973.07 of the statutes is amended to read:**

22 **973.07 Failure to pay fine or costs or to comply with certain**
 23 **community service work.** If the fine, costs, penalty assessment, jail assessment,
 24 crime victim and witness assistance surcharge, crime laboratories and drug law

1 enforcement assessment, applicable deoxyribonucleic acid analysis surcharge,
 2 applicable drug abuse program improvement surcharge, applicable consumer
 3 information assessment, applicable domestic abuse assessment, applicable driver
 4 improvement surcharge, applicable enforcement assessment under s. 253.06 (4) (c),
 5 applicable weapons assessment, applicable uninsured employer assessment,
 6 applicable environmental assessment, applicable wild animal protection
 7 assessment, applicable natural resources assessment and applicable natural
 8 resources restitution payments are not paid or community service work under s.
 9 943.017 (3) is not completed as required by the sentence, the defendant may be
 10 committed to the county jail until the fine, costs, penalty assessment, jail
 11 assessment, crime victim and witness assistance surcharge, crime laboratories and
 12 drug law enforcement assessment, applicable deoxyribonucleic acid analysis
 13 surcharge, applicable drug abuse program improvement surcharge, applicable
 14 consumer information assessment, applicable domestic abuse assessment,
 15 applicable driver improvement surcharge, applicable enforcement assessment
 16 under s. 253.06 (4) (c), applicable weapons assessment, applicable uninsured
 17 employer assessment, applicable environmental assessment, applicable wild animal
 18 protection assessment, applicable natural resources assessment or applicable
 19 natural resources restitution payments are paid or discharged, or the community
 20 service work under s. 943.017 (3) is completed, for a period fixed by the court not to
 21 exceed 6 months.

History: 1977 c. 29; 1979 s. 34, 111; 1981 c. 20; 1983 a. 27; 1985 a. 36; 1987 a. 27, 339; 1989 a. 04; 1991 s. 39; 1993 a. 16; 1995 a. 24; 1997 a. 27.

(END)

← INS 24-22

A handwritten note consisting of the text "D-note" enclosed within a hand-drawn black oval.

22

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

INS 24 LRB-0063/lins
MGG.....
22

SECTION 9304. Initial applicability; agriculture, trade and consumer protection.

(1) CONSUMER INFORMATION ASSESSMENTS. The treatment of sections 59.25 (3) (f) 2., 59.40 (2) (m), 66.119 (1) (b) 7. c. and d. and (c) and (3) (a), (b), (c) and (d), 66.12 (1) (b), 100.261, 778.02, 778.03, 778.06, 778.10, 778.105, 778.113, 778.118, 800.02 (2) (a) 8. and (3) (a) 5., 800.03 (3), 800.04 (2) (b) and (c), 800.09 (1) (intro.) and (a) and (2) (b), 800.10 (2), 800.12 (2), 814.60 (2) (ai), 814.63 (3) (ai), 973.05^{(1) and} (2) and 973.07 of the statutes first applies to violations that occur on the effective date of this subsection.

(with respect to consumer information assessments)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0063/1
MGG.....
PK

1. The assessment applies to violation of ordinances enacted under authority given in chs. 98 and 100. See ss. 98.04 (1) and 100.209 (3). OK?

2. Regarding s. 973.05 (2): Note where I have placed the consumer information assessment in the "pecking order" and let me know if you want any changes.

3. Regarding s. 973.05 (3) (a): I did not include the consumer information assessment in the second sentence, and that paragraph is therefore not amended in this draft. OK?

4. Certain sections of ch. 100 seem to protect business persons, including farmers, more than they protect retail consumers. See ss. 100.01, 100.02, 100.03, 100.05, 100.06, 100.201, 100.22, 100.23 ^{and} 100.235. Also, other sections of ch. 100 seem to be environmental protection laws rather than consumer protection laws. See ss. 100.33, 100.45 and 100.50. As drafted, the consumer information assessment applies to any forfeiture or fine imposed under these sections. OK?

any of
and collection

Mary Gibson-Glass
Senior Legislative Attorney
267-3215

5. Do you want a delayed effective date to give courts and other time to administratively prepare for the imposition of this assessment?

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0063/1dn
MGG:pk:jf

November 20, 1998

1. The assessment applies to violation of ordinances enacted under authority given in chs. 98 and 100. See ss. 98.04 (1) and 100.209 (3). OK?
2. Regarding s. 973.05 (2): Note where I have placed the consumer information assessment in the "pecking order" and let me know if you want any changes.
3. Regarding s. 973.05 (3) (a): I did not include the consumer information assessment in the second sentence, and that paragraph is therefore not amended in this draft. OK?
4. Certain sections of ch. 100 seem to protect business persons, including farmers, more than they protect retail consumers. See ss. 100.01, 100.02, 100.03, 100.05, 100.06, 100.201, 100.22, 100.23 and 100.235. Also, other sections of ch. 100 seem to be environmental protection laws rather than consumer protection laws. See ss. 100.33, 100.45 and 100.50. As drafted, the consumer information assessment applies to any forfeiture or fine imposed under any of these sections. OK?
5. Do you want a delayed effective date to give courts and others time to administratively prepare for the imposition and collection of this assessment?

Mary Gibson-Glass
Senior Legislative Attorney
267-3215



Today
State of Wisconsin
1999 - 2000 LEGISLATURE

D-Note

2
LRB-0063
MGG:pk:jf
3 cmh
+
jlg

DOA:.....Justus - Consumer information assessment

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

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1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

Under current law, the department of agriculture, trade and consumer protection (DATCP) administers, investigates and enforces certain consumer protection and trade practices laws and prosecutes violations of these laws. These laws include laws prohibiting or regulating methods of competition, fraudulent representations, fraudulent drug advertising, prize notices, mail-order sales, purchases of vegetables and dairy products from farmers and advertising of telecommunication services. A person found to have violated one of these laws is subject to a forfeiture or a fine.

Under current law, a person is subject to a forfeiture if he or she violates a law relating to weights and measures. These include laws against obstructing or hindering a state or local inspector of weights or measures, causing any weight or measure used in the buying or selling of a commodity to be incorrect and removing an official weights and measures inspector's tag from a commodity. If the violation is intentional, the person is subject to a fine.

This bill requires a court to impose an assessment equal to 15% of the fine or forfeiture if the court imposes a fine or forfeiture for a violation of any of these laws or local ordinances enacted pursuant to these laws. The assessments that are collected are deposited in an appropriation to DATCP to pay for providing consumers with information and education.

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:

1 **SECTION 1.** 20.115 (1) (jb) of the statutes is created to read:

2 20.115 (1) (jb) *Consumer information and education.* The amounts in the
3 schedule for consumer protection information and education. All moneys received
4 under s. 100.261 shall be credited to this appropriation account.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 59.25 (3) (f) 2. of the statutes is amended to read:

6 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
7 deposited in the state treasury, the amounts required by s. ~~165.87~~ ^{757.05 ✓} for the penalty
8 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories
9 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the
10 weapons assessment, the amounts required by s. 973.045 for the crime victim and
11 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the
12 delinquency victim and witness assistance surcharge, the amounts required by s.
13 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by
14 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts
15 required by s. 100.261 for the consumer information assessment, the amounts
16 authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse
17 assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment
18 under the supplemental food program for women, infants and children, the amounts
19 required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing
20 improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the

1 driver improvement surcharge, the amounts required by s. 102.85 (4) for the
2 uninsured employer assessment, the amounts required by s. 299.93 for the
3 environmental assessment, the amounts required by s. 29.983 for the wild animal
4 protection assessment, the amounts required by s. 29.987 for the natural resources
5 assessment surcharge, the amounts required by s. 29.985 for the fishing shelter
6 removal assessment, the amounts required by s. 350.115 for the snowmobile
7 registration restitution payment and the amounts required by s. 29.989 for natural
8 resources restitution payments, transmit to the state treasurer a statement of all
9 moneys required by law to be paid on the actions entered during the preceding month
10 on or before the first day of the next succeeding month, certified by the county
11 treasurer's personal signature affixed or attached thereto, and at the same time pay
12 to the state treasurer the amount thereof.

13 **SECTION 3.** 59.40 (2) (m) of the statutes is amended to read:

14 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's
15 percentage of the fees required to be paid on each civil action, criminal action and
16 special proceeding filed during the preceding month and pay monthly to the
17 treasurer for the use of the state the percentage of court imposed fines and forfeitures
18 required by law to be deposited in the state treasury, the amounts required by s.
19 ~~165.87 (2) (b)~~ ^{757.05 ✓} for the penalty assessment surcharge, the amounts required by s.
20 165.755 for the crime laboratories and drug law enforcement assessment, the
21 amounts required by s. 167.31 (5) for the weapons assessment, the amounts required
22 by s. 973.045 for the crime victim and witness assistance surcharge, the amounts
23 required by s. 938.34 (8d) for the delinquency victim and witness assistance
24 surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis
25 surcharge, the amounts required by s. 961.41 (5) for the drug abuse program

✓
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1 improvement surcharge, the amounts required by s. 100.261 for the consumer
 2 information assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required
 3 by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by
 4 s. 253.06 (4) (c) for the enforcement assessment under the supplemental food
 5 program for women, infants and children, the amounts required by ss. 346.177,
 6 346.495 and 346.65 (4r) for the railroad crossing improvement assessment, the
 7 amounts required by s. 346.655 for the driver improvement surcharge, the amounts
 8 required by s. 102.85 (4) for the uninsured employer assessment, the amounts
 9 required by s. 299.93 for the environmental assessment, the amounts required under
 10 s. 29.983 for the wild animal protection assessment, the amounts required under s.
 11 29.987 (1) (d) for the natural resources assessment surcharge, the amounts required
 12 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.
 13 350.115 for the snowmobile registration restitution payment and the amounts
 14 required under s. 29.989 (1) (d) for the natural resources restitution payments. The
 15 payments shall be made by the 15th day of the month following receipt thereof.

16 **SECTION 4.** 66.119 (1) (b) 7. c. of the statutes is amended to read:

17 66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does
 18 not appear in court, he or she either will be deemed to have tendered a plea of no
 19 contest and submitted to a forfeiture, a penalty assessment imposed by s. ~~165.87~~ ^{757.05}, a
 20 jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law
 21 enforcement assessment imposed by s. 165.755, any applicable consumer
 22 information assessment imposed by s. 100.261 and any applicable domestic abuse
 23 assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will
 24 be summoned into court to answer the complaint if the court does not accept the plea
 25 of no contest.

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1 **SECTION 5.** 66.119 (1) (b) 7. d. of the statutes is amended to read:

2 66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and
3 does not appear in court at the time specified, the court may issue a summons or a
4 warrant for the defendant's arrest or consider the nonappearance to be a plea of no
5 contest and enter judgment under sub. (3) (d), or the municipality may commence an
6 action against the alleged violator to collect the forfeiture, the penalty assessment
7 imposed by s. ~~165.87~~^{757.05} ✓, the jail assessment imposed by s. 302.46 (1), the crime
8 laboratories and drug law enforcement assessment imposed by s. 165.755, any
9 applicable consumer information assessment imposed by s. 100.261 and any
10 applicable domestic abuse assessment imposed by s. 973.055 (1).

11 **SECTION 6.** 66.119 (1) (c) of the statutes is amended to read:

12 66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of
13 cash deposits that are to be required for the various ordinance violations, and for the
14 penalty assessment imposed by s. ~~165.87~~^{757.05} ✓, the jail assessment imposed by s. 302.46
15 (1), the crime laboratories and drug law enforcement assessment imposed by s.
16 165.755, any applicable consumer information assessment imposed by s. 100.261
17 and any applicable domestic abuse assessment imposed by s. 973.055 (1), for which
18 a citation may be issued. The ordinance shall also specify the court, clerk of court
19 or other official to whom cash deposits are to be made and shall require that receipts
20 be given for cash deposits.

21 **SECTION 7.** 66.119 (3) (a) of the statutes is amended to read:

22 66.119 (3) (a) The person named as the alleged violator in a citation may appear
23 in court at the time specified in the citation or may mail or deliver personally a cash
24 deposit in the amount, within the time and to the court, clerk of court or other official
25 specified in the citation. If a person makes a cash deposit, the person may

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1 nevertheless appear in court at the time specified in the citation, provided that the
2 cash deposit may be retained for application against any forfeiture, restitution,
3 penalty assessment, jail assessment, crime laboratories and drug law enforcement
4 assessment ~~or, consumer information assessment or domestic abuse assessment~~ that
5 may be imposed.

6 **SECTION 8.** 66.119 (3) (b) of the statutes is amended to read:

7 66.119 (3) (b) If a person appears in court in response to a citation, the citation
8 may be used as the initial pleading, unless the court directs that a formal complaint
9 be made, and the appearance confers personal jurisdiction over the person. The
10 person may plead guilty, no contest or not guilty. If the person pleads guilty or no
11 contest, the court shall accept the plea, enter a judgment of guilty and impose a
12 forfeiture, the penalty assessment imposed by s. ~~165.87~~ ^{757.05 ✓}, the jail assessment imposed
13 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
14 imposed by s. 165.755, any applicable consumer information assessment imposed by
15 s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1).
16 If the court finds that the violation meets the conditions in s. 800.093 (1), the court
17 may order restitution under s. 800.093. A plea of not guilty shall put all matters in
18 the case at issue, and the matter shall be set for trial.

19 **SECTION 9.** 66.119 (3) (c) of the statutes is amended to read:

20 66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear
21 in court, the citation may serve as the initial pleading and the violator shall be
22 considered to have tendered a plea of no contest and submitted to a forfeiture, the
23 penalty assessment imposed by s. ~~165.87~~ ^{757.05 ✓}, the jail assessment imposed by s. 302.46
24 (1), the crime laboratories and drug law enforcement assessment imposed by s.
25 165.755, any applicable consumer information assessment imposed by s. 100.261

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6-18 →

1 and any applicable domestic abuse assessment imposed by s. 973.055 (1) not
2 exceeding the amount of the deposit. The court may either accept the plea of no
3 contest and enter judgment accordingly or reject the plea. If the court finds the
4 violation meets the conditions in s. 800.093 (1), the court may summon the alleged
5 violator into court to determine if restitution shall be ordered under s. 800.093. If
6 the court accepts the plea of no contest, the defendant may move within 10 days after
7 the date set for the appearance to withdraw the plea of no contest, open the judgment
8 and enter a plea of not guilty if the defendant shows to the satisfaction of the court
9 that the failure to appear was due to mistake, inadvertence, surprise or excusable
10 neglect. If the plea of no contest is accepted and not subsequently changed to a plea
11 of not guilty, no costs or fees may be taxed against the violator, but a penalty
12 assessment, a jail assessment, a crime laboratories and drug law enforcement
13 assessment and, if applicable, a consumer information assessment or a domestic
14 abuse assessment shall be assessed. If the court rejects the plea of no contest, an
15 action for collection of the forfeiture, penalty assessment, jail assessment, crime
16 laboratories and drug law enforcement assessment, any applicable information
17 assessment and any applicable domestic abuse assessment may be commenced. A
18 city, village, town sanitary district or public inland lake protection and rehabilitation
19 district may commence action under s. 66.12 (1) and a county or town may commence
20 action under s. 778.10. The citation may be used as the complaint in the action for
21 the collection of the forfeiture, penalty assessment, jail assessment, crime
22 laboratories and drug law enforcement assessment, any applicable consumer
23 information assessment and any applicable domestic abuse assessment.

24 **SECTION 10.** 66.119 (3) (d) of the statutes is amended to read:

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1 66.119 (3) (d) If the alleged violator does not make a cash deposit and fails to
2 appear in court at the time specified in the citation, the court may issue a summons
3 or warrant for the defendant's arrest or consider the nonappearance to be a plea of
4 no contest and enter judgment accordingly if service was completed as provided
5 under par. (e) or the county, town, city, village, town sanitary district or public inland
6 lake protection and rehabilitation district may commence an action for collection of
7 the forfeiture, penalty assessment, jail assessment and crime laboratories and drug
8 law enforcement assessment, any applicable consumer information assessment and
9 any applicable domestic abuse assessment. A city, village, town sanitary district or
10 public inland lake protection and rehabilitation district may commence action under
11 s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation
12 may be used as the complaint in the action for the collection of the forfeiture, penalty
13 assessment, jail assessment and crime laboratories and drug law enforcement
14 assessment, any applicable consumer information assessment and any applicable
15 domestic abuse assessment. If the court considers the nonappearance to be a plea
16 of no contest and enters judgment accordingly, the court shall promptly mail a copy
17 or notice of the judgment to the defendant. The judgment shall allow the defendant
18 not less than 20 days from the date of the judgment to pay any forfeiture, penalty
19 assessment, jail assessment and crime laboratories and drug law enforcement
20 assessment, any applicable consumer information assessment and any applicable
21 domestic abuse assessment imposed. If the defendant moves to open the judgment
22 within 6 months after the court appearance date fixed in the citation, and shows to
23 the satisfaction of the court that the failure to appear was due to mistake,
24 inadvertence, surprise or excusable neglect, the court shall reopen the judgment,
25 accept a not guilty plea and set a trial date.

1 **SECTION 11.** 66.12 (1) (b) of the statutes is amended to read:

2 66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss.
3 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any
4 or all violations under those ordinances, and may designate the manner in which the
5 stipulation is to be made and fix the penalty to be paid. When a person charged with
6 a violation for which stipulation of guilt or no contest is authorized makes a timely
7 stipulation and pays the required penalty and pays the penalty assessment imposed
8 by s. ~~165.87~~^{757.05 ✓}, the jail assessment imposed by s. 302.46 (1), the crime laboratories and
9 drug law enforcement assessment imposed by s. 165.755, any applicable consumer
10 information assessment imposed by s. 100.261 and any applicable domestic abuse
11 assessment imposed by s. 973.055 (1) to the designated official, the person need not
12 appear in court and no witness fees or other additional costs may be taxed unless the
13 local ordinance so provides. A court appearance is required for a violation of a local
14 ordinance in conformity with s. 346.63 (1). The official receiving the penalties shall
15 remit all moneys collected to the treasurer of the city, village, town sanitary district
16 or public inland lake protection and rehabilitation district in whose behalf the sum
17 was paid, except that all jail assessments shall be remitted to the county treasurer,
18 within 20 days after its receipt by him or her; and in case of any failure in the
19 payment, the treasurer may collect the payment of the officer by action, in the name
20 of the office, and upon the official bond of the officer, with interest at the rate of 12%
21 per year from the time when it should have been paid. In the case of the penalty
22 assessment imposed by s. ~~165.87~~^{plain space} ~~757.05 ✓~~, the crime laboratories and drug law enforcement
23 assessment imposed by s. 165.755, the driver improvement surcharge imposed by s.
24 346.655 (1), any applicable consumer information assessment imposed by s. 100.261
25 and any applicable domestic abuse assessment imposed by s. 973.055 (1), the

1 treasurer of the city, village, town sanitary district or public inland lake protection
2 and rehabilitation district shall remit to the state treasurer the sum required by law
3 to be paid on the actions so entered during the preceding month on or before the first
4 day of the next succeeding month. The governing body of the city, village, town
5 sanitary district or public inland lake protection and rehabilitation district shall by
6 ordinance designate the official to receive the penalties and the terms under which
7 the official shall qualify.

8 **SECTION 12.** 100.261 of the statutes is created to read:

9 **100.261 Consumer information assessment.** (1) If a court imposes a fine
10 or forfeiture for a violation of this chapter, ch. 98, a rule promulgated under this
11 chapter or ch. 98 or an ordinance enacted under this chapter or ch. 98, the court shall
12 also impose a consumer information assessment in an amount equal to 15% of the
13 fine or forfeiture imposed. If multiple violations are involved, the court shall base
14 the consumer information assessment upon the the total of the fine or forfeiture
15 amounts for all violations. If a fine or forfeiture is suspended in whole or in part, the
16 court shall reduce the assessment in proportion to the suspension.

17 (2) If any deposit is made for a violation to which this section applies, the person
18 making the deposit shall also deposit a sufficient amount to include the consumer
19 information assessment required under this section. If the deposit is forfeited, the
20 amount of the consumer information assessment shall be transmitted to the state
21 treasurer under sub. (3). If the deposit is returned, the consumer information
22 assessment shall also be returned.

23 (3) The clerk of court shall collect and transmit the consumer information
24 assessment amounts to the county treasurer under s. 59.40 (2) (m). The county
25 treasure shall then make payment to the state treasurer under s. 59.25 (3) (f) 2. The

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1 state treasure shall deposit the assessment amounts in the general fund, and the
2 amounts shall be credited to appropriation account under s. 20.115 (1) (jb).

3 SECTION 13. 778.02 of the statutes is amended to read:

4 778.02 Action in name of state; complaint; attachment. Every such
5 forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to
6 allege in the complaint that the defendant is indebted to the plaintiff in the amount
7 of the forfeiture claimed, according to the provisions of the statute that imposes it,
8 specifying the statute and for the penalty assessment imposed by s. ~~165.87~~^{757.05}, the jail
9 assessment imposed by s. 302.46 (1), the crime laboratories and drug law
10 enforcement assessment imposed by s. 165.755, the enforcement assessment
11 imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer information
12 assessment imposed by s. 100.261 and any applicable domestic abuse assessment
13 imposed by s. 973.055 (1). If the statute imposes a forfeiture for several offenses or
14 delinquencies the complaint shall specify the particular offense or delinquency for
15 which the action is brought, with a demand for judgment for the amount of the
16 forfeiture, penalty assessment, jail assessment, crime laboratories and drug law
17 enforcement assessment, any applicable enforcement assessment, any applicable
18 consumer information assessment and any applicable domestic abuse assessment.

19 If the defendant is a nonresident of the state, an attachment may issue.

20 SECTION 14. 778.03 of the statutes is amended to read:

21 778.03 Complaint to recover forfeited goods. In an action to recover
22 property forfeited by any statute it shall be sufficient to allege in the complaint that
23 the property has been forfeited, specifying the statute, with a demand of judgment
24 for the delivery of the property, or the value thereof and for payment of the penalty
25 assessment imposed by s. ~~165.87~~^{757.05}, the jail assessment imposed by s. 302.46 (1), the

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1 crime laboratories and drug law enforcement assessment imposed by s. 165.755, the
2 enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable
3 consumer information assessment imposed by s. 100.261 and any applicable
4 domestic abuse assessment imposed by s. 973.055 (1).

5 SECTION 15. 778.06 of the statutes is amended to read:

6 778.06 Action for what sum. When a forfeiture is imposed, not exceeding a
7 specific sum or when it is not less than one sum or more than another, the action may
8 be brought for the highest sum specified and for the penalty assessment imposed by
9 s. ~~165.87~~ ^{757.05} ✓, the jail assessment imposed by s. 302.46 (1), the crime laboratories and
10 drug law enforcement assessment imposed by s. 165.755, the enforcement
11 assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer
12 information assessment imposed by s. 100.261 and any applicable domestic abuse
13 assessment imposed by s. 973.055 (1); and judgment may be rendered for such sum
14 as the court or jury shall assess or determine to be proportionate to the offense.

15 SECTION 16. 778.10 of the statutes is amended to read:

16 778.10 Municipal forfeitures, how recovered. All forfeitures imposed by
17 any ordinance or regulation of any county, town, city or village, or of any other
18 domestic corporation may be sued for and recovered, under this chapter, in the name
19 of the county, town, city, village or corporation. It is sufficient to allege in the
20 complaint that the defendant is indebted to the plaintiff in the amount of the
21 forfeiture claimed, specifying the ordinance or regulation that imposes it and of the
22 penalty assessment imposed by s. ~~165.87~~ ^{757.05} ✓, the jail assessment imposed by s. 302.46
23 (1), the crime laboratories and drug law enforcement assessment imposed by s.
24 165.755, any applicable consumer information assessment imposed by s. 100.261
25 and any applicable domestic abuse assessment imposed by s. 973.055 (1). If the

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1 ordinance or regulation imposes a penalty or forfeiture for several offenses or
 2 delinquencies the complaint shall specify the particular offenses or delinquency for
 3 which the action is brought, with a demand for judgment for the amount of the
 4 forfeiture, the penalty assessment imposed by s. ~~165.87~~^{757.05 ✓}, the jail assessment imposed
 5 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
 6 imposed by s. 165.755, any applicable consumer information assessment imposed by
 7 s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1).
 8 All moneys collected on the judgment shall be paid to the treasurer of the county,
 9 town, city, village or corporation, except that all jail assessments shall be paid to the
 10 county treasurer.

11 **SECTION 17.** 778.105 of the statutes is amended to read:

12 **778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by
 13 any court or any branch thereof for the violation of any municipal or county
 14 ordinance shall be paid to the municipality or county. Penalty assessment payments
 15 shall be made as provided in s. ~~165.87~~^{757.05 ✓}. Jail assessment payments shall be made as
 16 provided in s. 302.46 (1). Crime laboratories and drug law enforcement assessment
 17 payments shall be paid as provided in s. 165.755. Domestic abuse assessments shall
 18 be made as provided in s. 973.055. Consumer information assessment payments
 19 shall be made as provided in s. 100.261.

20 **SECTION 18.** 778.13 of the statutes is amended to read:

21 **778.13 Forfeitures collected, to whom paid.** All moneys collected in favor
 22 of the state for forfeiture, except the portion to be paid to any person who sues with
 23 the state, shall be paid by the officer who collects the forfeiture to the treasurer of the
 24 county within which the forfeiture was incurred within 20 days after its receipt. In
 25 case of any failure in the payment the county treasurer may collect the payment of

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1 the officer by action, in the name of the office and upon the official bond of the officer,
2 with interest at the rate of 12% per year from the time when it should have been paid.

3 Penalty assessment payments shall be made as provided in s. ~~165.87~~ Jail ^{757.05 ✓}

4 assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories

5 and drug law enforcement assessment payments shall be paid as provided in s.

6 165.755. Domestic abuse assessments shall be made as provided in s. 973.055.

7 Enforcement assessments shall be made as provided in s. 253.06 (4) (c). Consumer

8 information assessment payments shall be made as provided in s. 100.261.

9 **SECTION 19.** 778.18 of the statutes is amended to read:

10 **778.18 Penalty upon municipal judge.** If any municipal judge, of his or her

11 own will, dismisses any action brought before the judge under this chapter, unless

12 by order of the district attorney or attorney general or the person joined as plaintiff

13 with the state, or renders a less judgment therein than is prescribed by law, or

14 releases or discharges any such judgment or part thereof without payment or

15 collection, the judge and the judge's sureties shall be liable, in an action upon the

16 judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture

17 imposed by the judge and for the penalty assessment imposed by s. ~~165.87~~ ^{757.05 ✓} the jail

18 assessment imposed by s. 302.46 (1), the crime laboratories and drug law

19 enforcement assessment imposed by s. 165.755, any applicable consumer

20 information assessment imposed by s. 100.261 and any applicable domestic abuse

21 assessment imposed by s. 973.055 (1), or for an amount equal to the amount in which

22 any such judgment or any part thereof is released or discharged. If any municipal

23 judge gives time or delay to any person against whom any such judgment is rendered

24 by the judge, or takes any bond or security for its future payment, the judge and the

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1 judge's sureties shall also be liable for the payment of the judgment upon the judge's
2 bond.

3 **SECTION 20.** 800.02 (2) (a) 8. of the statutes is amended to read:

4 800.02 (2) (a) 8. Notice that if the defendant makes a deposit and fails to appear
5 in court at the time fixed in the citation, the defendant is deemed to have tendered
6 a plea of no contest and submits to a forfeiture, penalty assessment, jail assessment
7 and crime laboratories and drug law enforcement assessment, any applicable
8 consumer information assessment and any applicable domestic abuse assessment
9 plus costs, including the fee prescribed in s. 814.65 (1), not to exceed the amount of
10 the deposit. The notice shall also state that the court may decide to summon the
11 defendant rather than accept the deposit and plea.

12 **SECTION 21.** 800.02 (3) (a) 5. of the statutes is amended to read:

13 800.02 (3) (a) 5. A plain and concise statement of the violation identifying the
14 event or occurrence from which the violation arose and showing that the plaintiff is
15 entitled to relief, the ordinance, resolution or bylaw upon which the cause of action
16 is based and a demand for a forfeiture, the amount of which shall not exceed the
17 maximum set by the statute involved, the penalty assessment, the jail assessment,
18 the crime laboratories and drug law enforcement assessment, any applicable
19 consumer information assessment, any applicable domestic abuse assessment and
20 such other relief that is sought by the plaintiff.

21 **SECTION 22.** 800.03 (3) of the statutes is amended to read:

22 800.03 (3) The amount of the deposit shall be set by the municipal judge, but
23 shall not be effective until approved by the governing body of the municipality. The
24 amount shall not exceed the maximum penalty for the offense, including any penalty
25 assessment that would be applicable under s. ~~165.87~~ ^{757.05}, any jail assessment that would

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25

1 be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement
2 assessment that would be applicable under s. 165.755, any consumer information
3 assessment that would be applicable under s. 100.261 and any domestic abuse
4 assessment that would be applicable under s. 973.055 (1), plus court costs, including
5 the fee prescribed in s. 814.65 (1).

6 **SECTION 23.** 800.04 (2) (b) of the statutes is amended to read:

7 800.04 (2) (b) If the municipal judge determines that the defendant should not
8 be released under par. (a) and the defendant is charged with a traffic or boating
9 violation, the municipal judge shall release the defendant on a deposit in the amount
10 established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66.
11 For other violations, the municipal judge shall establish a deposit in an amount not
12 to exceed the maximum penalty for the offense, including any penalty assessment
13 that would be applicable under s. ~~165.87~~, ^{757.05 ✓} any jail assessment that would be
14 applicable under s. 302.46 (1), any crime laboratories and drug law enforcement
15 assessment that would be applicable under s. 165.755, any consumer information
16 assessment that would be applicable under s. 100.261 and any domestic abuse
17 assessment that would be applicable under s. 973.055 (1). If the judge in a 1st class
18 city determines that a defendant appearing before the judge through interactive
19 video and audio transmission should not be released under par. (a), the judge shall
20 inform the defendant that he or she has the right to appear personally before a judge
21 for a determination, not prejudiced by the first appearance, as to whether he or she
22 should be released without a deposit. On failure of the defendant to make a deposit
23 under this paragraph, he or she may be committed to jail pending trial only if the
24 judge finds that there is a reasonable basis to believe the person will not appear in
25 court.

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1 **SECTION 24.** 800.04 (2) (c) of the statutes is amended to read:

2 800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03
3 and does not appear, he or she is deemed to have tendered a plea of no contest and
4 submits to a forfeiture, a penalty assessment imposed by s. ~~165.87~~, a jail assessment ^{757.05 ✓}
5 imposed by s. 302.46 (1), a crime laboratories and drug law enforcement assessment
6 imposed by s. 165.755, any applicable consumer information assessment imposed by
7 s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1)
8 plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the amount of
9 the deposit. The court may either accept the plea of no contest and enter judgment
10 accordingly, or reject the plea and issue a summons. If the court finds that the
11 violation meets the conditions in s. 800.093 (1), the court may summon the alleged
12 violator into court to determine if restitution shall be ordered under s. 800.093. If
13 the defendant fails to appear in response to the summons, the court shall issue a
14 warrant under s. 968.09. If the defendant has made a deposit but does appear, the
15 court shall allow the defendant to withdraw the plea of no contest.

16 **SECTION 25.** 800.09 (1) (intro.) of the statutes is amended to read:

17 800.09 (1) JUDGMENT. (intro.) If a municipal court finds a defendant guilty it
18 may render judgment by ordering restitution under s. 800.093 and payment of a
19 forfeiture, the penalty assessment imposed by s. ~~165.87~~, the jail assessment ^{757.05 ✓} imposed
20 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
21 imposed by s. 165.755, any applicable consumer information assessment imposed by
22 s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1)
23 plus costs of prosecution, including the fee prescribed in s. 814.65 (1). The court shall
24 apply any payment received on a judgment that includes restitution to first satisfy
25 any payment of restitution ordered, then to pay the forfeiture, assessments and

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1 costs. If the judgment is not paid, the court may proceed under par. (a), (b) or (c) or
2 any combination of those paragraphs, as follows:

Insert 18-2 → 3 **SECTION 26.** 800.09 (1) (a) of the statutes is amended to read:

4 800.09 (1) (a) The court may defer payment of any judgment or provide for
5 instalment payments. At the time the judgment is rendered, the court shall inform
6 the defendant, orally and in writing, of the date by which restitution and the
7 payment of the forfeiture, the penalty assessment, the jail assessment, the crime
8 laboratories and drug law enforcement assessment, any applicable consumer
9 information assessment and any applicable domestic abuse assessment plus costs
10 must be made, and of the possible consequences of failure to do so in timely fashion,
11 including imprisonment, as provided in s. 800.095, or suspension of the defendant's
12 motor vehicle operating privilege, as provided in par. (c), if applicable. If the
13 defendant is not present, the court shall ensure that the information is sent to the
14 defendant by mail. In 1st class cities, all of the written information required by this
15 paragraph shall be printed in English and Spanish and provided to each defendant.

16 **SECTION 27.** 800.09 (2) (b) of the statutes is amended to read:

17 800.09 (2) (b) If the person charged fails to appear personally or by an attorney
18 at the time fixed for hearing of the case, the defendant may be deemed to have
19 entered a plea of no contest and the money deposited, if any, or such portion thereof
20 as the court determines to be an adequate penalty, plus the penalty assessment, the
21 jail assessment, the crime laboratories and drug law enforcement assessment, any
22 applicable consumer information assessment and any applicable domestic abuse
23 assessment plus costs, including the fee prescribed in s. 814.65 (1), may be declared
24 forfeited by the court or may be ordered applied upon the payment of any penalty
25 which may be imposed, together with the penalty assessment, the jail assessment,

1 the crime laboratories and drug law enforcement assessment, any applicable
2 consumer information assessment and any applicable domestic abuse assessment
3 plus costs. If the court finds that the violation meets the conditions in s. 800.093 (1),
4 the court may summon the alleged violator into court to determine if restitution shall
5 be ordered under s. 800.093. Any money remaining after payment of any penalties,
6 assessments, costs and restitution shall be refunded to the person who made the
7 deposit.

8 **SECTION 28.** 800.10 (2) of the statutes is amended to read:

9 800.10 (2) All forfeitures, fees, penalty assessments, crime laboratories and
10 drug law enforcement assessments, consumer information assessments, domestic
11 abuse assessments and costs paid to a municipal court under a judgment before a
12 municipal judge shall be paid to the municipal treasurer within 7 days after receipt
13 of the money by a municipal judge or other court personnel. At the time of the
14 payment, the municipal judge shall report to the municipal treasurer the title of the
15 action, the offense for which a forfeiture was imposed and the total amount of the
16 forfeiture, fees, penalty assessments, crime laboratories and drug law enforcement
17 assessments, consumer information assessments, domestic abuse assessments and
18 costs, if any. The treasurer shall disburse the fees as provided in s. 814.65 (1). All
19 jail assessments paid to a municipal court under a judgment before a municipal judge
20 shall be paid to the county treasurer within 7 days after receipt of the money by a
21 municipal judge or other court personnel.

22 **SECTION 29.** 800.12 (2) of the statutes is amended to read:

23 800.12 (2) A municipality may by ordinance provide that a municipal judge
24 may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50
25 or, upon nonpayment of the forfeiture, penalty assessment under s. 165.87, jail ^{757.05} ✓

1 assessment under s. 302.46 and, crime laboratories and drug law enforcement
2 assessment under s. 165.755, any applicable consumer information assessment
3 under s. 100.261 and any applicable domestic abuse assessment under s. 973.055 (1),
4 a jail sentence not to exceed 7 days.

5 **SECTION 30.** 814.60 (2) (ai) of the statutes is created to read:

6 814.60 (2) (ai) Consumer information assessment imposed by s. 100.261.

7 **SECTION 31.** 814.63 (3) (ai) of the statutes is created to read:

8 814.63 (3) (ai) Consumer information assessment imposed by s. 100.261.

9 **SECTION 32.** 973.05 (1) of the statutes is amended to read:

10 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
11 permission for the payment of the fine, of the penalty assessment imposed by s.
12 ~~165.87~~ ^{757.05 ✓}, the jail assessment imposed by s. 302.46 (1), the crime victim and witness
13 assistance surcharge under s. 973.045, the crime laboratories and drug law
14 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid
15 analysis surcharge under s. 973.046, any applicable drug abuse program
16 improvement surcharge imposed by s. 961.41 (5), any applicable consumer
17 information assessment imposed by s. 100.261, any applicable domestic abuse
18 assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver
19 improvement surcharge imposed by s. 346.655, any applicable enforcement
20 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed
21 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),
22 any applicable environmental assessment imposed by s. 299.93, any applicable wild
23 animal protection assessment imposed by s. 29.983, any applicable natural resources
24 assessment imposed by s. 29.987 and any applicable natural resources restitution
25 payment imposed by s. 29.989 to be made within a period not to exceed 60 days. If

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1 no such permission is embodied in the sentence, the fine, the penalty assessment, the
2 jail assessment, the crime victim and witness assistance surcharge, the crime
3 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
4 acid analysis surcharge, any applicable drug abuse program improvement
5 surcharge, any applicable consumer information assessment, any applicable
6 domestic abuse assessment, any applicable driver improvement surcharge, any
7 applicable enforcement assessment, any applicable weapons assessment, any
8 applicable uninsured employer assessment, any applicable environmental
9 assessment, any applicable wild animal protection assessment, any applicable
10 natural resources assessment and any applicable natural resources restitution
11 payment shall be payable immediately.

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12 **SECTION 33.** 973.05 (2) of the statutes is amended to read:

13 973.05 (2) When a defendant is sentenced to pay a fine and is also placed on
14 probation, the court may make the payment of the fine, the penalty assessment, the
15 jail assessment, the crime victim and witness assistance surcharge, the crime
16 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
17 acid analysis surcharge, any applicable drug abuse program improvement
18 surcharge, any applicable consumer information assessment, any applicable
19 domestic abuse assessment, any applicable uninsured employer assessment, any
20 applicable driver improvement surcharge, any applicable enforcement assessment
21 under s. 253.06 (4) (c), any applicable weapons assessment, any applicable
22 environmental assessment, any applicable wild animal protection assessment, any
23 applicable natural resources assessment and any applicable natural resources
24 restitution payments a condition of probation. When the payments are made a
25 condition of probation by the court, payments thereon shall be applied first to

1 payment of the penalty assessment until paid in full, shall then be applied to the
2 payment of the jail assessment until paid in full, shall then be applied to the payment
3 of part A of the crime victim and witness assistance surcharge until paid in full, shall
4 then be applied to part B of the crime victim and witness assistance surcharge until
5 paid in full, shall then be applied to the crime laboratories and drug law enforcement
6 assessment until paid in full, shall then be applied to the deoxyribonucleic acid
7 analysis surcharge until paid in full, shall then be applied to the drug abuse
8 improvement surcharge until paid in full, shall then be applied to payment of the
9 driver improvement surcharge until paid in full, shall then be applied to payment
10 of the domestic abuse assessment until paid in full, shall then be applied to payment
11 of the consumer information assessment until paid in full, shall then be applied to
12 payment of the natural resources assessment if applicable until paid in full, shall
13 then be applied to payment of the natural resources restitution payment until paid
14 in full, shall then be applied to the payment of the environmental assessment if
15 applicable until paid in full, shall then be applied to the payment of the wild animal
16 protection assessment if applicable until paid in full, shall then be applied to
17 payment of the weapons assessment until paid in full, shall then be applied to
18 payment of the uninsured employer assessment until paid in full, shall then be
19 applied to payment of the enforcement assessment under s. 253.06 (4) (c), if
20 applicable, until paid in full and shall then be applied to payment of the fine.

21 **SECTION 34.** 973.07 of the statutes is amended to read:

22 **973.07 Failure to pay fine or costs or to comply with certain**
23 **community service work.** If the fine, costs, penalty assessment, jail assessment,
24 crime victim and witness assistance surcharge, crime laboratories and drug law
25 enforcement assessment, applicable deoxyribonucleic acid analysis surcharge,

1 applicable drug abuse program improvement surcharge, applicable consumer
2 information assessment, applicable domestic abuse assessment, applicable driver
3 improvement surcharge, applicable enforcement assessment under s. 253.06 (4) (c),
4 applicable weapons assessment, applicable uninsured employer assessment,
5 applicable environmental assessment, applicable wild animal protection
6 assessment, applicable natural resources assessment and applicable natural
7 resources restitution payments are not paid or community service work under s.
8 943.017 (3) is not completed as required by the sentence, the defendant may be
9 committed to the county jail until the fine, costs, penalty assessment, jail
10 assessment, crime victim and witness assistance surcharge, crime laboratories and
11 drug law enforcement assessment, applicable deoxyribonucleic acid analysis
12 surcharge, applicable drug abuse program improvement surcharge, applicable
13 consumer information assessment, applicable domestic abuse assessment,
14 applicable driver improvement surcharge, applicable enforcement assessment
15 under s. 253.06 (4) (c), applicable weapons assessment, applicable uninsured
16 employer assessment, applicable environmental assessment, applicable wild animal
17 protection assessment, applicable natural resources assessment or applicable
18 natural resources restitution payments are paid or discharged, or the community
19 service work under s. 943.017 (3) is completed, for a period fixed by the court not to
20 exceed 6 months.

21 **SECTION 9304. Initial applicability; agriculture, trade and consumer**
22 **protection.**

23 (1) CONSUMER INFORMATION ASSESSMENTS. The treatment of sections 59.25 (3) (f)
24 2., 59.40 (2) (m), 66.119 (1) (b) 7. c. and d. and (c) and (3) (a), (b), (c) and (d), 66.12 (1)
25 (b), 100.261, 778.02, 778.03, 778.06, 778.10, 778.105, 778.13, 778.18, 800.02 (2) (a)

1 8. and (3) (a) 5., 800.03 (3), 800.04 (2) (b) and (c), 800.09 (1) (intro.) and (a) and (2)
2 (b), 800.10 (2) (with respect to consumer information assessments), 800.12 (2),
3 814.60 (2) (ai), 814.63 (3) (ai), 973.05 (1) and (2) and 973.07 of the statutes first
4 applies to violations that occur on the effective date of this subsection.

5 (END)

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LEGISLATIVE REFERENCE BUREAU

LRB-0063/2ins
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INSERT 2-12:

***NOTE: This is reconciled s. 59.25 (3) (f) 2. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

INSERT 4-15:

***NOTE: This is reconciled s. 59.40 (2) (m). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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***NOTE: This is reconciled s. 66.119 (1) (b) 7. c. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

INSERT 5-10:

***NOTE: This is reconciled s. 66.119 (1) (b) 7. d. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

INSERT 5-20:

***NOTE: This is reconciled s. 66.119 (1) (c). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

INSERT 6-18:

***NOTE: This is reconciled s. 66.119 (3) (b). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

INSERT 7-23:

***NOTE: This is reconciled s. 66.119 (3) (c). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

INSERT 10-7:

***NOTE: This is reconciled s. 66.12 (1) (b). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

INSERT 11-19:

***NOTE: This is reconciled s. 778.02. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

INSERT 12-4:

***NOTE: This is reconciled s. 778.03. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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***NOTE: This is reconciled s. 778.06. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 778.10. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 778.105. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 778.13. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 778.18. This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 800.03 (3). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 800.04 (2) (b). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 800.04 (2) (c). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 800.09 (1) (intro.). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 800.12 (2). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

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****NOTE: This is reconciled s. 973.05 (1). This SECTION has been affected by drafts with the following LRB numbers: 0063/1 and 1265/5.

LRB-0063/2

CMH

D-Note

This draft reconciles LRB-0063/1 and
LRB-1265/5. Both LRB-0063 and LRB-1265
should continue to appear in the
compiled bill.

RNK