

**1999 DRAFTING REQUEST****Bill**Received: **12/14/98**Received By: **olsenje**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Statz**This file may be shown to any legislator: **NO**Drafter: **olsenje**

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Alt. Drafters:

Subject: **Criminal Law - miscellaneous**Extra Copies: **RPN  
PEN  
MGG****Topic:**

DOA:.....Statz - Distribution of funds collected from the penalty assessment

**Instructions:**

See Attached

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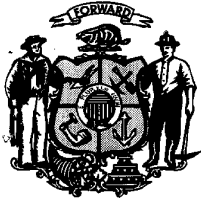
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STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON  
GOVERNOR  
MARK D. BUGHER  
SECRETARY

Mailing Address:  
Post Office Box 7864  
Madison, WI 53707-7864



1265

*Date:* December 9, 1998

*To:* Steve Miller  
Legislative Reference Bureau

*From:* Andrew J. Statz *AS*  
DOA - State Budget Office

*Subject:* Drafting instructions for statutes related to Penalty Assessment distribution – part one

Our intent is to overhaul the distribution of Penalty Assessment funds. These funds should be distributed according to amounts in the schedule, rather than the existing percentage-based distribution scheme. We are not reducing the amounts currently given to agencies, or the rate of the surcharge (it will remain at 23%), or how the Penalty Assessment surcharge is collected.

We are breaking the drafting/revision process into three parts. Part one, outlined below, creates a central appropriation in OJA and establishes receiver appropriations in appropriate agencies. The amounts given to agencies will be dictated by the Chapter 20 schedule – not statutory amounts.

This step also repeals the county-tribal appropriations in DOJ. They will be replaced later by a new appropriation that will be funded by Indian compact moneys, not Penalty Assessment. Compact moneys will be dealt with in another draft. OJA appropriations will also be dealt with later in a separate draft.

Part one involves:

**1. Move Levy of penalty assessment out of DOJ**

Repeal 165.87(2) *Levy of penalty assessment* to Chapter 757 *General provisions regarding courts of record, et al.* I believe you had suggested Chapter 757 as the new “home” for Penalty Assessment. Retain the state treasurer as the collector of funds, but amend the statute to have the state treasurer forward all penalty assessment receipts to OJA.

**2. Redefine the Law Enforcement Training Fund**

Keep 165.86 *Law enforcement training* in DOJ intact.

Repeal and recreate 165.87 *Law enforcement training fund* in DOJ to redefine the fund as amounts in the schedule under 20.455(2)(j) *LETf – local assistance* and 20.455(2)(ja) *LETf – state operations*. This will eliminate the percentage-based distribution scheme.

**3. Create a new mother appropriation in OJA**

Create 20.505(6)(\_\_\_) to serve as the mother appropriation for all Penalty Assessment receipts. This new appropriation will receive money from the renumbered 165.87(2) *Levy of penalty assessment* and distribute it to all other agencies. We are also looking for a proration mechanism like the one devised by Rick Champagne to be used for Indian compact moneys. We need to protect critical appropriations for the Law Enforcement Training Fund [ss. 20.455(2)(j) and (2)(ja)] and OJA's matching funds [20.505(6)(g) which flows to other appropriations in OJA].

The new mother appropriation could read:

20.505(6)(\_\_\_) *Penalty assessment receipts.*

1) All moneys received from the penalty assessment surcharge on court fines and forfeitures under s. 757(\_\_\_) shall be credited to this appropriation. The secretary of administration shall transfer from 20.505(6)(\_\_\_) the amounts in the schedule for 20.505(6)(g), 20.455(2)(j), and 20.455(2)(ja).

2) The secretary of administration shall also transfer from 20.505(6)(\_\_\_) the amounts in the schedule for the following appropriations 20.255(1)(hr), 20.255(2)(g), 20.410(1)(jp), 20.410(3)(kj), 20.410(1)(kp), 20.455(2)(jb), 20.455(2)(kh), 20.455(5)(kz), 20.505(1)(kz), and 20.550(1)(j). If the unencumbered balances are not sufficient to fully fund the amounts in the schedule, the secretary shall transfer the unencumbered balance to the appropriation accounts in this section on a prorated basis.

**4. Establish receiver appropriations**

Amend 20.455(2)(j) *LETF - local assistance* to read, "The amounts in the schedule to finance local law enforcement training as provided in ss. 165.85(5)(b) and (5m). All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation."

Amend 20.455(2)(ja) *LETF - state operations* to read, "The amounts in the schedule to finance state operations associated with the administration of the law enforcement training fund and to finance training for state law enforcement personnel, as provided in s. 165.85(5)(b). All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation."

Amend 20.455(2)(jb) *Crime laboratory equipment and supplies* to read, "The amounts in the schedule for the maintenance, repair, upgrading and replacement costs of the laboratory equipment, and for supplies used to maintain, repair, upgrade and replace that equipment, in the state and

*should be (6)(g) all through*

regional crime laboratories. All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation."

✓ Amend 20.550(1)(j) *Conferences and training* for the state public defender to read, "The amounts in the schedule for the purpose of sponsoring conferences and training under ch. 977. All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation."

✓ Amend 20.410(1)(jp) *Correctional officer training* to read, "The amounts in the schedule to finance correctional officers training under s. 301.28. All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation."

✓ Amend 20.410(3)(kj) *Youth diversion program* to read, "The amounts in the schedule for youth diversion services under ss. 301.265(1) and (3). All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation."

✓ Amend 20.255(1)(hr) *Alcohol and other drug abuse program* to read, "The amounts in the schedule for the purpose of s. 115.36(2) and the administration of s. 115.36(3). All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation."

✓ Amend 20.255(2)(g) *Aid for alcohol and other drug abuse programs* to read, "The amounts in the schedule for the purpose of s. 115.36(3). All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation."

✓ Create 20.455(5)(~~kk~~)<sup>L</sup> *Reimbursement to counties for victim-witness services, penalty assessment* to read, "The amounts in the schedule for the purpose of reimbursing counties under s. 950.06 for costs incurred in providing services to victims and witnesses of crime. All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation." Should be a PR-S annual appropriation (appn 539). Note: This is essentially a duplicate of (5)(kk).

✓ Create 20.455(2)(~~kh~~)<sup>Q</sup> *DNE intelligence operations, penalty assessment* to read, "The amounts in the schedule for the purpose of drug enforcement tactical and strategic intelligence units. All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation." Should be a PR-S annual appropriation (appn 238).

✓ Create 20.505(1)(~~kl~~)<sup>Q</sup> *BJIS operations, penalty assessment* to read, "The amounts in the schedule for the purpose of maintaining, developing and operating automated justice information systems under s. 16.971 (9) in conjunction with the public defender board, the director of state courts, the departments of corrections and justice and district attorneys. All funds transferred from s. 20.505(6)(g) shall be credited to

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12/9/98

this appropriation." This should be a PR-S annual appropriation (appn 173).

(J)  
Create 20.410(1)(k) *Information technology* to read, "The amounts in the schedule for the purpose of maintaining, developing and operating information systems. All funds transferred from s. 20.505(6)(g) shall be credited to this appropriation." This should be a PR-S annual appropriation (appn 190).

✓ Repeal 20.455(2)(i) *Penalty assessment surcharge, receipts*. The role of 20.505(6)(g) eliminates the need for (2)(i) as a Penalty Assessment clearinghouse in DOJ.

All OJA receiving appropriations will be dealt with later in a separate draft.

#### 5. Repeal the County-Tribal Law Enforcement appropriations

✓  
20.455(2)(d) *County-tribal law enforcement programs* (a GPR appropriation)  
20.455(2)(hm) *County-tribal programs, surcharge receipts*  
20.455(2)(hn) *County-tribal, local assistance*  
20.455(2)(ho) *County-tribal, state operations*

Re/165.90?

These are appropriations that receive Penalty Assessment funds and GPR. As stated above these will be replaced at a later date in a separate draft by an appropriation to receive Indian compact moneys.

If you have questions, need clarification, or would like to sit down and discuss this, don't hesitate to call (7-0370) or drop me an e-mail. I look forward to your help in putting all this together. Thanks.



20.370(3)(aq)

(aq) **Law enforcement** — *snowmobile **enforcement** and safety **training***. The amounts in the schedule from the snowmobile account in the conservation **fund** for state **law enforcement** operations and ss. 350.055, 350.12 (4) (a) 2m., 3. and 3m. and 350.155 for safety **training** and fatality reporting.

20.455(2)(j)

(j) **Law enforcement training fund**, *local assistance*. The amounts in the schedule to finance local **law enforcement training** as provided in s. 165.85 (5) (b) and (5m). All moneys transferred from par. (i) shall be credited to this appropriation.

20.455(2)(ja)

(ja) **Law enforcement training fund**, *state operations*. The amounts in the schedule to finance state operations associated with the administration of the **law enforcement training fund** and to finance **training** for state **law enforcement** personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) shall be credited to this appropriation.

165.87 **Law enforcement training fund**.

165.87

**165.87 Law enforcement training fund**.

165.87(1)(a)

(a) Twenty-seven fifty-fifths of all moneys collected from penalty assessments under this section shall be credited to the appropriation account under s. 20.455 (2) (i) and utilized in accordance with ss. 20.455 (2) and 165.85 (5) and (5m). The moneys credited to the appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s. 20.455 (2) (jb), constitute the **law enforcement training fund**.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1265/1

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WLJ

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Soon

DOA:.....Statz - Distribution of funds collected from the penalty assessment

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

Do Not  
GEN CAT.

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

*Analysis by the Legislative Reference Bureau*

STATE GOVERNMENT ✓

OTHER STATE GOVERNMENT ✓

With certain exceptions, current law imposes a penalty assessment on any person who is ordered to pay a fine or forfeiture for violating a state law or a local ordinance. The penalty assessment is set at 23% of the total amount of the fines or forfeitures imposed for the violation. The moneys collected from penalty assessments are currently credited directly to various appropriation accounts based on a formula in the statutes and the appropriation accounts specify the purposes for which the moneys may be used. These purposes currently include the following: 1) training for local law enforcement officers; 2) correctional officer training; 3) purchase of crime laboratory equipment; 4) matching federal funds provided for drug law enforcement; 5) county-tribal law enforcement projects; 6) diversion of youth from gang activities; 7) alcohol and other drug abuse prevention and treatment for minors; and 8) training for the state public defenders office.

This bill provides that, instead of being credited to specific appropriations accounts based on a statutory formula, all moneys collected from penalty assessments will be credited to a single appropriation account in the department of administration's office of justice assistance (OJA). ✓ Specified amounts of the moneys in this OJA appropriation account will then be transferred to other appropriation accounts to be used for the same purposes as under current law, except that under

the bill no penalty assessment moneys will be provided to fund county-tribal law enforcement projects. The bill also provides that penalty assessment moneys will be used for several new purposes, including information technology systems for the department of corrections, automated justice information systems and reimbursement to counties for the costs of providing crime victim and witness services.

(DOC)  
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. 16.495<sup>✓</sup> of the statutes is created to read:

2 **16.495 Transfer of penalty assessment surcharge receipts.** On or before  
3 the 10th day of each month, the<sup>✓</sup> secretary shall calculate the unencumbered balance  
4 in the appropriation account under s. 20.505 (6) (j)<sup>✓</sup> as of the 5th day of that month.  
5 If the unencumbered balance in the appropriation account is not sufficient to fully  
6 fund the amounts required to be transferred on the 15th day of the month under s.  
7 20.505 (6) (j),<sup>✓</sup> the secretary first shall transfer the full amounts required to be  
8 transferred under s. 20.505 (6) (j) 1.<sup>✓</sup> to 3.<sup>✓</sup> and then shall transfer any remaining  
9 unencumbered balance on a prorated basis to the appropriation accounts specified  
10 under s. 20.505 (6) (j) 4.<sup>✓</sup> to 13.<sup>✓</sup> The secretary shall base the proration on the  
11 proportion that the amount that is required to be transferred to each appropriation  
12 account on the 15th day of the month bears to the total amount that is required to  
13 be transferred on the 15th day of the month to all of the appropriation accounts under  
14 s. 20.505 (6) (j) 4.<sup>✓</sup> to 13.<sup>✓</sup>

15 SECTION 2. 16.971 (9)<sup>✓</sup> of the statutes is amended to read:

16 16.971 (9) In conjunction with the public defender board, the director of state  
17 courts, the departments of corrections and justice and district attorneys, the division  
18 may maintain, promote and coordinate automated justice information systems that

1 are compatible among counties and the officers and agencies specified in this  
 2 subsection, using the moneys appropriated under s. 20.505 (1) (ja) and, (kp) and (kq).  
 3 The division shall annually report to the legislature under s. 13.172 (2) concerning  
 4 the division's efforts to improve and increase the efficiency of integration of justice  
 5 information systems.

History: 1971 c. 261; Stats. 1971 s. 16.96; s. 13.93 (1) (b); Stats. 1971 s. 16.97; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1987 a. 142; 1989 a. 31; 1991 a. 39 ss. 180b, 192b; Stats. 1991 s. 16.971; 1993 a. 16; 1995 a. 27 ss. 324, 331, 408 to 423m, 9126 (19); 1995 a. 417; 1997 a. 27, 36.

6 **SECTION 3.** 20.255 (1) (hr) of the statutes is renumbered 20.255 (1) (kd) and  
 7 amended to read:

8 20.255 (1) (kd) *Alcohol and other drug abuse program.* All moneys received  
 9 under s. 165.87 (1) The amounts in the schedule for the purpose of s. 115.36 (2) and  
 10 the administration of s. 115.36 (3). All moneys transferred from the appropriation  
 11 account under s. 20.505 (6) (j) 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.

History: 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43) (a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252.

12 **SECTION 4.** 20.255 (2) (g) of the statutes is renumbered 20.255 (2) (kd) and  
 13 amended to read:

14 20.255 (2) (kd) *Aid for alcohol and other drug abuse programs.* All moneys  
 15 received under s. 165.87 (1) the amounts in the schedule for the purpose of s. 115.36  
 16 (3). All moneys transferred from the appropriation account under s. 20.505 (6) (j)  
 17 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.

History: 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43) (a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252.

18 **SECTION 5.** 20.410 (1) (jp) of the statutes is renumbered 20.410 (1) (kp) and  
 19 amended to read:

1           20.410 (1) (kp) *Correctional officer training*. The amounts in the schedule to  
2 finance correctional officers training under s. 301.28. All moneys ~~received from the~~  
3 ~~penalty assessment surcharge on court fines and forfeitures as allocated transferred~~  
4 ~~from the appropriation account~~ under s. ~~165.87 (1)~~ 20.505 (6) (j) shall be credited to  
5 this appropriation account.

<sup>↓</sup>\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284.

6           **SECTION 6.** 20.410 (1) (kv) of the statutes is created to read:

7           20.410 (1) (kv) *Information technology*. The amounts in the schedule for the  
8 purpose of maintaining, developing and operating information systems. All moneys  
9 transferred from the appropriation account under s. 20.505 (6) (j) shall be credited  
10 to this appropriation account.

<sup>↓</sup>\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 7.** 20.410 (3) (kj) of the statutes is amended to read:

12          20.410 (3) (kj) *Youth diversion program*. ~~Biennially, the~~ The amounts in the  
13 schedule for youth diversion services under s. 301.265 (1) and (3). All moneys  
14 transferred from the appropriation account under s. 20.505 (6) ~~(g)~~ (j) shall be credited  
15 to this appropriation account.

<sup>↓</sup>\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284.

16          **SECTION 8.** 20.455 (2) (d) of the statutes is repealed.

<sup>↓</sup>\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

17          **SECTION 9.** 20.455 (2) (hm) of the statutes is repealed.

<sup>↓</sup>\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18          **SECTION 10.** 20.455 (2) (hn) of the statutes is repealed.

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

1       **SECTION 11.** 20.455 (2) (ho) ✓ of the statutes is repealed.

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

2       **SECTION 12.** 20.455 (2) (i) ✓ of the statutes is repealed.

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

3       **SECTION 13.** 20.455 (2) (j) ✓ of the statutes is renumbered 20.455 (2) (kp) ✓ and  
4 amended to read:

5           20.455 (2) (kp) *Law enforcement training fund, local assistance.* The amounts  
6 in the schedule to finance local law enforcement training as provided in s. 165.85 (5)  
7 (b) and (5m). All moneys transferred from ~~par. (i)~~ ✓ the appropriation account under  
8 s. 20.505 (6) (j) ✓ 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.

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, 355; 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 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237.

9       **SECTION 14.** 20.455 (2) (ja) ✓ of the statutes is renumbered 20.455 (2) (kq) ✓ and  
10 amended to read:

11           20.455 (2) (kq) *Law enforcement training fund, state operations.* The amounts  
12 in the schedule to finance state operations associated with the administration of the  
13 law enforcement training fund and to finance training for state law enforcement  
14 personnel, as provided in s. 165.85 (5) (b). All moneys transferred from ~~par. (i)~~ the  
15 appropriation account under s. 20.505 (6) (j) ✓ shall be credited to this appropriation  
16 account.

✓  
\*\*\*\*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, 355; 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 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237.

1           **SECTION 15.** 20.455 (2) (jb) of the statutes is renumbered 20.455 (2) (kr) and  
2 amended to read:

3           20.455 (2) (kr) *Crime laboratory equipment and supplies.* ~~Biennially, the~~ The  
4 amounts in the schedule for the maintenance, repair, upgrading and replacement  
5 costs of the laboratory equipment, and for supplies used to maintain, repair, upgrade  
6 and replace that equipment, in the state and regional crime laboratories. All moneys  
7 transferred from ~~par. (i)~~ the appropriation account under s. 20.505 (6) (j) shall be  
8 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.

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, 355; 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 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237.

9           **SECTION 16.** 20.455 (2) (ke) of the statutes is created to read:

10           20.455 (2) (ke) *Drug enforcement intelligence operations.* The amounts in the  
11 schedule for drug enforcement tactical and strategic intelligence units. All moneys  
12 transferred from the appropriation account under s. 20.505 (6) (j) shall be credited  
13 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.

14           **SECTION 17.** 20.455 (5) (kp) of the statutes is created to read:

15           20.455 (5) (kp) *Reimbursement to counties for victim-witness services.* The  
16 amounts in the schedule for the purpose of reimbursing counties under s. 950.06 for  
17 costs incurred in providing services to victims and witnesses of crime. All moneys  
18 transferred from the appropriation account under s. 20.505 (6) (j) shall be credited  
19 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.

20           **SECTION 18.** 20.505 (1) (kq) of the statutes is created to read:

1           20.505 (1) (kq) *Justice information systems development, operation and*  
2 *maintenance.* The amounts in the schedule for the purpose of developing, operating  
3 and maintaining automated justice information systems under s. 16.971 (9). All  
4 moneys transferred from the appropriation account under s. 20.505 (6) (j) shall be  
5 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.

6           SECTION 19. 20.505 (6) (g) of the statutes is renumbered 20.505 (6) (kp) and  
7 amended to read:

8           20.505 (6) (kp) *Anti-drug enforcement program, penalty assessment — local.*  
9 ~~All moneys received from the penalty assessment surcharge on court fines and~~  
10 ~~forfeitures as allocated under s. 165.87 (1) The amounts in the schedule to match~~  
11 ~~federal funds made available under subtitle K of title I of P.L. 99-570, except as~~  
12 ~~provided in par. (h) and s. 20.410 (3) (kj). All moneys transferred from the~~  
13 ~~appropriation account under s. 20.505 (6) (j) shall be credited to this appropriation~~  
14 ~~account.~~ The executive staff director of the office of justice assistance may transfer  
15 moneys not needed as matching funds under this paragraph to par. (h). The  
16 secretary of administration shall transfer \$645,000 from this paragraph to s. 20.410  
17 (3) (kj) in each fiscal year. The secretary of administration shall transfer \$200,000  
18 in fiscal year 1997-98 and \$200,000 in fiscal year 1998-99 from this paragraph to  
19 the appropriation account under s. 20.455 (2) (k) for a drug enforcement tactical  
20 intelligence unit and shall transfer \$948,800 in fiscal year 1998-99 from this  
21 paragraph to the appropriation account under s. 20.455 (2) (k) for a drug enforcement  
22 strategic intelligence unit (kt).



✓  
\*\*\*\*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. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283.

1 **SECTION 20. 20.505 (6) (h)** of the statutes is renumbered **20.505 (6) (kt)** and

2 amended to read:

3 **20.505 (6) (kt) *Anti-drug enforcement program, penalty assessment — state.***

4 All moneys transferred from par. (g) <sup>✓</sup>(kp)<sup>✓</sup> to match federal funds made available

5 under subtitle K of title I of P.L. 99–570 regarding allocations to state agencies for

6 planning, programs and administration regarding anti-drug abuse law enforcement

7 assistance. ~~The secretary of administration shall transfer \$500,000 in fiscal year~~

8 ~~1991–92 from this paragraph to s. 20.455 (2) (i).~~

✓  
\*\*\*\*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. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283.

9 **SECTION 21. 20.505 (6) (j)** of the statutes is created to read:

10 **20.505 (6) (j) *Penalty assessment surcharge receipts.*** All moneys received from

11 the penalty assessment surcharge under s. 757.05 <sup>✓</sup> on court fines and forfeitures for

12 the purpose of making the transfers required under subds. 1 <sup>✓</sup> to 13 <sup>✓</sup>. On the 15th day

13 of each month, the secretary shall transfer the following amounts to the following

14 appropriation <sup>✓</sup>accounts, unless otherwise provided under s. 16.495<sup>✓</sup>:

15 1. The amount transferred to <sup>5.</sup>20.455<sup>✓</sup> (2) (kp)<sup>✓</sup> shall be one-twelfth of the amount  
16 in the schedule under s. 20.455 (2) (kp)<sup>✓</sup>.

17 2. The amount transferred to <sup>5.</sup>20.455 (2) (kq)<sup>✓</sup> shall be one-twelfth of the amount  
18 in the schedule under s. <sup>✓</sup>20.455 (2) (kq)<sup>✓</sup>.

- ① 3. The amount transferred to <sup>s.</sup>20.505 (6) (kp) shall be one-twelfth of the amount  
2 in the schedule under s. 20.505 (6) (kp).
- ③ 4. The amount transferred to <sup>s.</sup>20.255 (1) (kd) shall be one-twelfth of the amount  
4 in the schedule under s. 20.255 (1) (kd).
- ⑤ 5. The amount transferred to <sup>s.</sup>20.255 (2) (kd) shall be one-twelfth of the amount  
6 in the schedule under s. 20.255 (2) (kd).
- ⑦ 6. The amount transferred to <sup>s.</sup>20.410 (1) (kp) shall be one-twelfth of the amount  
8 in the schedule under s. 20.410 (1) (kp).
- ⑨ 7. The amount transferred to <sup>s.</sup>20.410 (1) (kv) shall be one-twelfth of the amount  
10 in the schedule under s. 20.410 (1) (kv).
- ⑪ 8. The amount transferred to <sup>s.</sup>20.410 (3) (kj) shall be one-twelfth of the amount  
12 in the schedule under s. 20.410 (3) (kj).
- ⑬ 9. The amount transferred to <sup>s.</sup>20.455 (2) (ke) shall be one-twelfth of the amount  
14 in the schedule under s. 20.455 (2) (ke).
- ⑮ 10. The amount transferred to <sup>s.</sup>20.455 (2) (kr) shall be one-twelfth of the  
16 amount in the schedule under s. 20.455 (2) (kr).
- ⑰ 11. The amount transferred to <sup>s.</sup>20.455 (5) (kp) shall be one-twelfth of the  
18 amount in the schedule under s. 20.455 (5) (kp).
- ⑲ 12. The amount transferred to <sup>s.</sup>20.505 (1) (kq) shall be one-twelfth of the  
20 amount in the schedule under s. 20.505 (1) (kq).
- ⑳ 13. The amount transferred to <sup>s.</sup>20.550 (1) (k) shall be one-twelfth of the amount  
22 in the schedule under s. 20.550 (1) (k).

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

1           **SECTION 22.** 20.550 (1) (j) of the statutes is renumbered 20.550 (1) (k) and  
2 amended to read:

3           20.550 (1) (k) *Conferences and training.* The amounts in the schedule to  
4 sponsor conferences and training under ch. 977. All moneys received transferred  
5 from the ~~penalty assessment surcharge on court fines and forfeitures as allocated~~  
6 appropriation account under s. ~~165.87 (1) (b)~~ 20.505 (6) (j) shall be credited to this  
7 appropriation account.

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

8 **History:** 1977 c. 29, 418; 1979 c. 34, 356; 1981 c. 20; 1983 a. 27; 1987 a. 27; 1989 a. 31, 336; 1991 a. 39; 1993 a. 16, 437, 451; 1995 a. 27.

9           **SECTION 23.** 23.51 (6) of the statutes is amended to read:

10           23.51 (6) “Penalty assessment” means the penalty assessment imposed by s.  
11 ~~165.87~~ 757.05.

12 **History:** 1975 c. 365; 1977 c. 29; 1979 c. 34; 1985 a. 36; 1985 a. 332 s. 251 (7); 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 112; 1995 a. 227; 1997 a. 27, 248.

13           **SECTION 24.** 59.25 (3) (f) 2. of the statutes is amended to read:

14           59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be  
15 deposited in the state treasury, the amounts required by s. ~~165.87~~ 757.05 for the  
16 penalty assessment surcharge, the amounts required by s. 165.755 for the crime  
17 laboratories and drug law enforcement assessment, the amounts required by s.  
18 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the  
19 crime victim and witness assistance surcharge, the amounts required by s. 938.34  
20 (8d) for the delinquency victim and witness assistance surcharge, the amounts  
21 required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts  
22 required by s. 961.41 (5) for the drug abuse program improvement surcharge, the  
23 amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the  
domestic abuse assessment, the amounts required by s. 253.06 (4) (c) for the  
enforcement assessment under the supplemental food program for women, infants

1 and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the  
 2 railroad crossing improvement assessment, the amounts required by s. 346.655 (2)  
 3 (a) and (b) for the driver improvement surcharge, the amounts required by s. 102.85  
 4 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the  
 5 environmental assessment, the amounts required by s. 29.983 for the wild animal  
 6 protection assessment, the amounts required by s. 29.987 for the natural resources  
 7 assessment surcharge, the amounts required by s. 29.985 for the fishing shelter  
 8 removal assessment, the amounts required by s. 350.115 for the snowmobile  
 9 registration restitution payment and the amounts required by s. 29.989 for natural  
 10 resources restitution payments, transmit to the state treasurer a statement of all  
 11 moneys required by law to be paid on the actions entered during the preceding month  
 12 on or before the first day of the next succeeding month, certified by the county  
 13 treasurer's personal signature affixed or attached thereto, and at the same time pay  
 14 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 to 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: s. 13.93 (2) (c).

15 **SECTION 25. 59.40 (2) (m)** of the statutes is amended to read:

16 **59.40 (2) (m)** Pay monthly to the treasurer for the use of the state the state's  
 17 percentage of the fees required to be paid on each civil action, criminal action and  
 18 special proceeding filed during the preceding month and pay monthly to the  
 19 treasurer for the use of the state the percentage of court imposed fines and forfeitures  
 20 required by law to be deposited in the state treasury, the amounts required by s.  
 21 ~~165.87 (2) (b)~~ <sup>✓</sup> 757.05 <sup>✓</sup> for the penalty assessment surcharge, the amounts required by  
 22 s. 165.755 for the crime laboratories and drug law enforcement assessment, the  
 23 amounts required by s. 167.31 (5) for the weapons assessment, the amounts required  
 24 by s. 973.045 for the crime victim and witness assistance surcharge, the amounts

1 required by s. 938.34 (8d) for the delinquency victim and witness assistance  
 2 surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis  
 3 surcharge, the amounts required by s. 961.41 (5) for the drug abuse program  
 4 improvement surcharge, 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; Sup. Ct. Order No. 96-08, 207 W (2d) xv (1997); 1997 a. 3, 27; 1997 a. 35 ss. 185, 186; 1997 a. 39, 135, 148, 191, 237, 248, 252; s. 13.93 (2) (c).

18 **SECTION 26.** 59.54 (12) of the statutes is repealed.

\*\*\*\*NOTE: This draft repeals s. 59.54 (12), stats., because of the repeal of s. 165.90, stats. If s. 165.90, stats., is not repealed this SECTION should be deleted.

19 **SECTION 27.** 66.119 (1) (b) 7. c. of the statutes is amended to read:

20 66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does  
 21 not appear in court, he or she either will be deemed to have tendered a plea of no  
 22 contest and submitted to a forfeiture, a penalty assessment imposed by s. 165.87

1 757.05<sup>✓</sup>, a jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law  
2 enforcement assessment imposed by s. 165.755 and any applicable domestic abuse  
3 assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will  
4 be summoned into court to answer the complaint if the court does not accept the plea  
5 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.

6 **SECTION 28.** 66.119 (1) (b) 7. d. of the statutes is amended to read:

7 66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and  
8 does not appear in court at the time specified, the court may issue a summons or a  
9 warrant for the defendant's arrest or consider the nonappearance to be a plea of no  
10 contest and enter judgment under sub. (3) (d), or the municipality may commence an  
11 action against the alleged violator to collect the forfeiture, the penalty assessment  
12 imposed by s. ~~165.87~~ 757.05<sup>✓</sup>, the jail assessment imposed by s. 302.46 (1), the crime  
13 laboratories and drug law enforcement assessment imposed by s. 165.755 and any  
14 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.

15 **SECTION 29.** 66.119 (1) (c) of the statutes is amended to read:

16 66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of  
17 cash deposits that are to be required for the various ordinance violations, and for the  
18 penalty assessment imposed by s. ~~165.87~~ 757.05<sup>✓</sup>, the jail assessment imposed by s.  
19 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by  
20 s. 165.755 and any applicable domestic abuse assessment imposed by s. 973.055 (1),  
21 for which a citation may be issued. The ordinance shall also specify the court, clerk

1 of court or other official to whom cash deposits are to be made and shall require that  
2 receipts 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 30.** 66.119 (3) (b) of the statutes is amended to read:

4 66.119 (3) (b) If a person appears in court in response to a citation, the citation  
5 may be used as the initial pleading, unless the court directs that a formal complaint  
6 be made, and the appearance confers personal jurisdiction over the person. The  
7 person may plead guilty, no contest or not guilty. If the person pleads guilty or no  
8 contest, the court shall accept the plea, enter a judgment of guilty and impose a  
9 forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment  
10 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement  
11 assessment imposed by s. 165.755 and any applicable domestic abuse assessment  
12 imposed by s. 973.055 (1). If the court finds that the violation meets the conditions  
13 in s. 800.093 (1), the court may order restitution under s. 800.093. A plea of not guilty  
14 shall put all matters in the case at issue, and the matter shall be set for trial.

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.

15 **SECTION 31.** 66.119 (3) (c) of the statutes is amended to read:

16 66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear  
17 in court, the citation may serve as the initial pleading and the violator shall be  
18 considered to have tendered a plea of no contest and submitted to a forfeiture, the  
19 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.  
20 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by  
21 s. 165.755 and any applicable domestic abuse assessment imposed by s. 973.055 (1)  
22 not exceeding the amount of the deposit. The court may either accept the plea of no  
23 contest and enter judgment accordingly or reject the plea. If the court finds the

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

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.

20 **SECTION 32.** 66.12 (1) (b)<sup>v</sup> of the statutes is amended to read:

21 66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss.  
22 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any  
23 or all violations under those ordinances, and may designate the manner in which the  
24 stipulation is to be made and fix the penalty to be paid. When a person charged with



1 a violation for which stipulation of guilt or no contest is authorized makes a timely  
2 stipulation and pays the required penalty and pays the penalty assessment imposed  
3 by s. ~~165.87~~ 757.05<sup>✓</sup>, the jail assessment imposed by s. 302.46 (1), the crime  
4 laboratories and drug law enforcement assessment imposed by s. 165.755 and any  
5 applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated  
6 official, the person need not appear in court and no witness fees or other additional  
7 costs may be taxed unless the local ordinance so provides. A court appearance is  
8 required for a violation of a local ordinance in conformity with s. 346.63 (1). The  
9 official receiving the penalties shall remit all moneys collected to the treasurer of the  
10 city, village, town sanitary district or public inland lake protection and rehabilitation  
11 district in whose behalf the sum was paid, except that all jail assessments shall be  
12 remitted to the county treasurer, within 20 days after its receipt by him or her; and  
13 in case of any failure in the payment, the treasurer may collect the payment of the  
14 officer by action, in the name of the office, and upon the official bond of the officer,  
15 with interest at the rate of 12% per year from the time when it should have been paid.  
16 In the case of the penalty assessment imposed by s. ~~165.87~~ 757.05<sup>✓</sup>, the crime  
17 laboratories and drug law enforcement assessment imposed by s. 165.755, the driver  
18 improvement surcharge imposed by s. 346.655 (1) and any applicable domestic abuse  
19 assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary  
20 district or public inland lake protection and rehabilitation district shall remit to the  
21 state treasurer the sum required by law to be paid on the actions so entered during  
22 the preceding month on or before the first day of the next succeeding month. The  
23 governing body of the city, village, town sanitary district or public inland lake

1 protection and rehabilitation district shall by ordinance designate the official to  
2 receive the penalties and the terms under which the official shall qualify.

History: 1971 c. 278; 1973 c. 336; 1975 c. 231; 1977 c. 29, 182, 269, 272, 305, 418, 447, 449; 1979 c. 32 s. 92 (17); 1979 c. 110 s. 60 (13); 1979 c. 331; 1981 c. 20, 317; 1983 a. 418 s. 8; 1987 a. 27, 389; Sup. Ct. Order, 146 W (2d) xiii (1988); 1989 a. 107; 1991 a. 39, 40, 189; 1993 a. 16, 167, 246, 491; 1995 a. 201, 349; 1997 a. 27.

3 **SECTION 33. 66.12 (3) (b)** of the statutes is amended to read:

4 **66.12 (3) (b)** All forfeitures and penalties recovered for the violation of any  
5 ordinance or bylaw of any city, village, town, town sanitary district or public inland  
6 lake protection and rehabilitation district shall be paid into the city, village, town,  
7 town sanitary district or public inland lake protection and rehabilitation district  
8 treasury for the use of the city, village, town, town sanitary district or public inland  
9 lake protection and rehabilitation district, except as otherwise provided in par. (c),  
10 sub. (1) (b) and s. ~~165.87~~ <sup>✓</sup> 757.05. The judge shall report and pay into the treasury,  
11 quarterly, or at more frequent intervals if so required, all moneys collected belonging  
12 to the city, village, town, town sanitary district or public inland lake protection and  
13 rehabilitation district, which report shall be certified and filed in the office of the  
14 treasurer; and the judge shall be entitled to duplicate receipts for such moneys, one  
15 of which he or she shall file with the city, village or town clerk or with the town  
16 sanitary district or the public inland lake protection and rehabilitation district.

History: 1971 c. 278; 1973 c. 336; 1975 c. 231; 1977 c. 29, 182, 269, 272, 305, 418, 447, 449; 1979 c. 32 s. 92 (17); 1979 c. 110 s. 60 (13); 1979 c. 331; 1981 c. 20, 317; 1983 a. 418 s. 8; 1987 a. 27, 389; Sup. Ct. Order, 146 W (2d) xiii (1988); 1989 a. 107; 1991 a. 39, 40, 189; 1993 a. 16, 167, 246, 491; 1995 a. 201, 349; 1997 a. 27.

17 **SECTION 34. 115.36 (3) (a) (intro.)** <sup>✓</sup> of the statutes is amended to read:

18 **115.36 (3) (a) (intro.)** The department shall, from the appropriation under s.  
19 **20.255 (2) (g)** <sup>✓</sup> (kd) <sup>✓</sup>, fund school district projects designed to assist minors  
20 experiencing problems resulting from the use of alcohol or other drugs or to prevent  
21 alcohol or other drug abuse by minors. The department shall:

History: 1979 c. 331; 1981 c. 20 s. 2202 (42) (b); 1983 a. 27 s. 2202 (42); 1987 a. 524; 1985 a. 176; 1989 a. 31, 122.

22 **SECTION 35. 165.85 (5m) (b) 1.** <sup>✓</sup> of the statutes is amended to read:

1           165.85 (5m) (b) 1. Determine the total reimbursement payments made to the  
2           political subdivision under s. 20.455 (2) (j), 1991 stats., in fiscal years 1987–88 and  
3           1988–89.

History: 1973 c. 90, 333; 1975 c. 94 s. 91 (11); 1977 c. 29, 418; 1979 c. 111; 1981 c. 20; 1983 a. 27; 1985 a. 29, 260; 1987 a. 237, 366, 394; 1989 a. 31, 291; 1991 a. 39; 1993 a. 16, 167, 213, 399, 407, 460, 482, 491; 1995 a. 201, 225, 349; 1997 a. 27, 88, 191.

4           **SECTION 36.** 165.85 (5m) (d) 1. of the statutes is amended to read:

5           165.85 (5m) (d) 1. Estimate what the total cash balance in the appropriation  
6           account under s. 20.455 (2) (i), 1991 stats., will be at the end of the 1990–91 fiscal  
7           year.

History: 1973 c. 90, 333; 1975 c. 94 s. 91 (11); 1977 c. 29, 418; 1979 c. 111; 1981 c. 20; 1983 a. 27; 1985 a. 29, 260; 1987 a. 237, 366, 394; 1989 a. 31, 291; 1991 a. 39; 1993 a. 16, 167, 213, 399, 407, 460, 482, 491; 1995 a. 201, 225, 349; 1997 a. 27, 88, 191.

8           **SECTION 37.** 165.85 (5m) (d) 2. of the statutes is amended to read:

9           165.85 (5m) (d) 2. Estimate the portion of the total cash balance that must be  
10          carried over to the 1991–92 fiscal year to support the expenditures in the 1991–92  
11          fiscal year under s. 20.455 (2) (j), (ja) and (jb), 1991 stats.

History: 1973 c. 90, 333; 1975 c. 94 s. 91 (11); 1977 c. 29, 418; 1979 c. 111; 1981 c. 20; 1983 a. 27; 1985 a. 29, 260; 1987 a. 237, 366, 394; 1989 a. 31, 291; 1991 a. 39; 1993 a. 16, 167, 213, 399, 407, 460, 482, 491; 1995 a. 201, 225, 349; 1997 a. 27, 88, 191.

12          **SECTION 38.** 165.87 (1) (title) of the statutes is repealed.

13          **SECTION 39.** 165.87 (1) (a) of the statutes is renumbered 165.87 and amended  
14          to read:

15          **165.87 Law enforcement training fund.** ~~Twenty seven fifty fifths of all~~  
16          ~~moneys~~ Moneys collected from penalty assessments under ~~this section shall be~~  
17          ~~credited s. 757.05 and transferred~~ to the appropriation account under s. 20.455 (2)  
18          ~~(i) and utilized (kp) and (kq) shall be used in accordance with ss. 20.455 (2) and s.~~  
19          165.85 (5) and (5m). ~~The moneys credited to the appropriation account under s.~~  
20          ~~20.455 (2) (i), except for the moneys transferred to s. 20.455 (2) (jb), and shall~~  
21          constitute the law enforcement training fund.

History: 1977 c. 29, 418; 1979 c. 331; 1981 c. 20; 1983 a. 27; 1987 a. 27, 326; 1989 a. 22, 31, 56, 97, 359; 1991 a. 26, 39, 130; 1993 a. 16, 313; 1995 a. 27, 201; 1997 a. 27, 36, 252.

\*\*\*\*NOTE: This section is superfluous to the language already contained in the cross-referenced appropriations. Also, the reference to a law enforcement training "fund" is confusing because it is not a ch. 25 segregated fund; rather, it consists of moneys

appropriated in specified appropriation accounts. Accordingly, I suggest that the draft simply repeal all of s. 165.87 (1), stats.

1           **SECTION 40.** 165.87 (1) (b) of the statutes is repealed.

2           **SECTION 41.** 165.87 (1) (bn) of the statutes is repealed.

3           **SECTION 42.** 165.87 (1) (bp) of the statutes is repealed.

4           **SECTION 43.** 165.87 (1) (br) of the statutes is repealed.

5           **SECTION 44.** 165.87 (1) (c) of the statutes is repealed.

6           **SECTION 45.** 165.87 (2) of the statutes is renumbered 757.05.

7           **SECTION 46.** 165.90 of the statutes is repealed.

      \*\*\*\*NOTE: This draft repeals s. 165.90, stats., because all of its supporting appropriations are repealed by the draft. (See the treatment of s. 20.455 (2) (d), (hm), (hn) and (ho), stats.) If another budget draft creates new appropriations to fund s. 165.90, stats., that draft will amend s. 165.90 (4), stats., and its provisions will supersede the repeal of s. 165.90, stats., in this draft.

8           **SECTION 47.** 165.92 (3) (a) of the statutes is amended to read:

9           165.92 (3) (a) Unless otherwise provided in a joint program plan under s.  
10          ~~165.90 (2)~~ or an agreement between a political subdivision of this state and a tribe,  
11          the tribe that employs a tribal law enforcement officer is liable for all acts of the  
12          officer while acting within the scope of his or her employment and neither the state  
13          nor any political subdivision of the state may be held liable for any action of the officer  
14          taken under the authority of sub. (2) (a).

History: 1993 a. 407; 1995 a. 201.

      \*\*\*\*NOTE: This draft strikes a reference to s. 165.90, stats., because of the repeal of s. 165.90, stats., by this draft. If s. 165.90, stats., is not repealed this SECTION should be deleted.

15          **SECTION 48.** 289.33 (3) (d) of the statutes is amended to read:

16          289.33 (3) (d) "Local approval" includes any requirement for a permit, license,  
17          authorization, approval, variance or exception or any restriction, condition of  
18          approval or other restriction, regulation, requirement or prohibition imposed by a  
19          charter ordinance, general ordinance, zoning ordinance, resolution or regulation by

1 a town, city, village, county or special purpose district, including without limitation  
 2 because of enumeration any ordinance, resolution or regulation adopted under s.  
 3 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9),  
 4 (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27),  
 5 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) and (23),  
 6 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), <sup>↓</sup>(~~12~~), (16),  
 7 (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4), (5) and (6), 59.56  
 8 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58 (1) and  
 9 (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5), (7), (8),  
 10 (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and  
 11 (11), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34, 61.35, 61.351, 61.354,  
 12 62.11, 62.23, 62.231, 62.234, 66.01, 66.052, 66.24 (8), 87.30, 91.73, 196.58, 236.45,  
 13 281.43 or 349.16 or subch. VIII of ch. 60.

**History:** 1981 c. 374; 1983 a. 128; 1983 a. 282 ss. 6 to 32, 34; 1983 a. 416 s. 19; 1983 a. 532 s. 36; 1983 a. 538; 1985 a. 182 s. 57; 1987 a. 27, 204, 399; 1987 a. 403 s. 256; 1991 a. 39; 1995 a. 201; 1995 a. 227 s. 626; Stats. 1995 s. 289.33; 1997 a. 35, 241.

✓ \*\*\*\*NOTE: This draft strikes a reference to s. 59.54 (12), stats., because of the repeal of s. 59.54 (12), stats., by this draft. If s. 59.54 (12), stats., is not repealed this SECTION should be deleted.

14 **SECTION 49.** 345.26 (1) (b) 1. ✓ of the statutes is amended to read:

15 345.26 (1) (b) 1. If the person makes a deposit for a violation of a traffic  
 16 regulation, the person need not appear in court at the time fixed in the citation, and  
 17 the person will be deemed to have tendered a plea of no contest and submitted to a  
 18 forfeiture and a penalty assessment, if required by s. ~~165.87~~ <sup>✓</sup> 757.05, a jail  
 19 assessment, if required by s. 302.46 (1), a railroad crossing improvement  
 20 assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a crime laboratories  
 21 and drug law enforcement assessment, if required by s. 165.755, plus any applicable

1 fees prescribed in ch. 814, not to exceed the amount of the deposit that the court may  
2 accept as provided in s. 345.37; and

History: 1971 c. 278; 1973 c. 218, 228, 336; 1977 c. 29; 1977 c. 305 s. 64; 1977 c. 449; 1981 c. 165 s. 20; 1981 c. 317; 1985 a. 29, 332; 1987 a. 27, 399; 1989 a. 107, 170, 359; 1991 a. 39; 1993 a. 16; 1997 a. 27, 135, 237.

3 **SECTION 50.** 345.37 (2) of the statutes is amended to read:

4 345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may  
5 serve as the initial pleading and the defendant shall be deemed to have tendered a  
6 plea of no contest and submitted to a forfeiture and a penalty assessment, if required  
7 by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46 (1), a railroad crossing  
8 improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a  
9 crime laboratories and drug law enforcement assessment, if required by s. 165.755,  
10 plus costs, including any applicable fees prescribed in ch. 814, not exceeding the  
11 amount of the deposit. The court may either accept the plea of no contest and enter  
12 judgment accordingly, or reject the plea and issue a summons under ch. 968. If the  
13 defendant fails to appear in response to the summons, the court shall issue a warrant  
14 under ch. 968. If the court accepts the plea of no contest, the defendant may move  
15 within 6 months after the date set for the appearance to withdraw the plea of no  
16 contest, open the judgment and enter a plea of not guilty upon a showing to the  
17 satisfaction of the court that the failure to appear was due to mistake, inadvertence,  
18 surprise or excusable neglect. If on reopening the defendant is found not guilty, the  
19 court shall immediately notify the department to delete the record of conviction  
20 based on the original proceeding and shall order the defendant's deposit returned.

History: 1971 c. 278; 1973 c. 218; 1975 c. 231, 421; 1977 c. 29 ss. 1472 to 1475, 1654 (7) (a), (c); 1977 c. 273, 305; 1981 c. 317; 1985 a. 29; 1987 a. 27, 267, 399; 1989 a. 107, 170; 1991 a. 39; 1993 a. 16; 1997 a. 27, 135, 237.

21 **SECTION 51.** 345.37 (5) of the statutes is amended to read:

22 345.37 (5) Within 5 working days after forfeiture of deposit or entry of default  
23 judgment, the official receiving the forfeiture, the penalty assessment, if required by

1 s. ~~165.87~~ <sup>✓</sup> 757.05, the jail assessment, if required by s. 302.46 (1), the railroad crossing  
2 improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and the  
3 crime laboratories and drug law enforcement assessment, if required by s. 165.755,  
4 shall forward to the department a certification of the entry of default judgment or a  
5 judgment of forfeiture.

History: 1971 c. 278; 1973 c. 218; 1975 c. 231, 421; 1977 c. 29 ss. 1472 to 1475, 1654 (7) (a), (c); 1977 c. 273, 305; 1981 c. 317; 1985 a. 29; 1987 a. 27, 267, 399; 1989 a. 107, 170; 1991 a. 39; 1993 a. 16; 1997 a. 27, 135, 237.

6 **SECTION 52.** 345.375 (2) of the statutes is amended to read:

7 345.375 (2) Upon default of the defendant corporation or limited liability  
8 company or upon conviction, judgment for the amount of the forfeiture, the penalty  
9 assessment, if required under s. ~~165.87~~ <sup>✓</sup> 757.05, the jail assessment, if required by s.  
10 302.46 (1), and the crime laboratories and drug law enforcement assessment, if  
11 required under s. 165.755, shall be entered.

History: 1973 c. 218; 1977 c. 29; 1987 a. 27; 1989 a. 107; 1993 a. 112; 1997 a. 27.

12 **SECTION 53.** 345.47 (1) (intro.) of the statutes is amended to read:

13 345.47 (1) (intro.) If the defendant is found guilty, the court may enter  
14 judgment against the defendant for a monetary amount not to exceed the maximum  
15 forfeiture, penalty assessment, if required by s. ~~165.87~~ <sup>✓</sup> 757.05, the jail assessment,  
16 if required by s. 302.46 (1), the railroad crossing improvement assessment, if  
17 required by s. 346.177, 346.495 or 346.65 (4r), and the crime laboratories and drug  
18 law enforcement assessment, if required by s. 165.755, provided for the violation and  
19 for costs under s. 345.53 and, in addition, may suspend or revoke his or her operating  
20 privilege under s. 343.30. If the judgment is not paid, the court shall order:

History: 1971 c. 278; 1973 c. 218; 1977 c. 29 ss. 1477 to 1482, 1654 (7) (c); 1979 c. 34; 1981 c. 165; 1987 a. 27, 389; 1989 a. 31, 107; 1991 a. 34, 39, 189; 1993 a. 16; 1995 a. 269; 1997 a. 27, 84, 135, 237, 252.

21 **SECTION 54.** 345.47 (1) (b) of the statutes is amended to read:

22 345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension  
23 or revocation, that the defendant's operating privilege be suspended for 30 days or

No  
Change

1 until the person pays the forfeiture, the penalty assessment, if required by s. 165.87  
 2 757.05, the jail assessment, if required by s. 302.46 (1), the railroad crossing  
 3 improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and the  
 4 crime laboratories and drug law enforcement assessment, if required by s. 165.755,  
 5 but not to exceed 5 years. Suspension under this paragraph shall not affect the power  
 6 of the court to suspend or revoke under s. 343.30 or the power of the secretary to  
 7 suspend or revoke the operating privilege.

NOTE: NOTE: Par. (b) is affected eff. 5-1-00 or the date stated in the notice published by the secretary of transportation in the Wisconsin Administrative Register under s. 85.515, whichever is earlier, by four acts of the 1997 legislature to read: NOTE:

(b) In lieu of imprisonment and in addition to any other suspension or revocation, that the defendant's operating privilege be suspended for 30 days or until the person pays the forfeiture, the penalty assessment, if required by s. 165.87, the jail assessment, if required by s. 302.46 (1), the railroad crossing improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and the crime laboratories and drug law enforcement assessment, if required by s. 165.755, but not to exceed 2 years. Suspension under this paragraph shall not affect the power of the court to suspend or revoke under s. 343.30 or the power of the secretary to suspend or revoke the operating privilege.

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 treatment*

History: 1971 c. 278; 1973 c. 218; 1977 c. 29 ss. 1477 to 1482, 1654 (7) (c); 1979 c. 34; 1981 c. 165; 1987 a. 27, 389; 1989 a. 31, 107; 1991 a. 34, 39, 189; 1993 a. 16; 1995 a. 269; 1997 a. 27, 84, 135, 237, 232.

13 SECTION 55. 345.47 (1) (c) of the statutes is amended to read:

14 345.47 (1) (c) If a court or judge suspends an operating privilege under this  
 15 section, the court or judge shall immediately take possession of the suspended license  
 16 and shall forward it to the department together with the notice of suspension, which  
 17 shall clearly state that the suspension was for failure to pay a forfeiture, a penalty  
 18 assessment, if required by s. 165.87 757.05, a jail assessment, if required by s. 302.46  
 19 (1), a railroad crossing improvement assessment, if required by s. 346.177, 346.495  
 20 or 346.65 (4r), and a crime laboratories and drug law enforcement assessment, if  
 21 required by s. 165.755, imposed by the court. The notice of suspension and the  
 22 suspended license, if it is available, shall be forwarded to the department within 48  
 23 hours after the order of suspension. If the forfeiture, penalty assessment, jail  
 24 assessment, railroad crossing improvement assessment and crime laboratories and  
 25 drug law enforcement assessment are paid during a period of suspension, the court  
 26 or judge shall immediately notify the department. Upon receipt of the notice and



1 payment of the reinstatement fee under s. 343.21 (1) (j), the department shall return  
2 the surrendered license.

History: 1971 c. 278; 1973 c. 218; 1977 c. 29 ss. 1477 to 1482, 1654 (7) (c); 1979 c. 34; 1981 c. 165; 1987 a. 27, 389; 1989 a. 31, 107; 1991 a. 34, 39, 189; 1993 a. 16; 1995 a. 269; 1997 a. 27, 84, 135, 237, 252.

3 **SECTION 56.** 345.49 (1) of the statutes is amended to read:

4 345.49 (1) Any person imprisoned under s. 345.47 for nonpayment of a  
5 forfeiture, a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail assessment,  
6 if required by s. 302.46 (1), a railroad crossing improvement assessment, if required  
7 by s. 346.177, 346.495 or 346.65 (4r), or a crime laboratories and drug law  
8 enforcement assessment, if required by s. 165.755, may, on request, be allowed to  
9 work under s. 303.08. If the person does work, earnings shall be applied on the  
10 unpaid forfeiture, penalty assessment, jail assessment, railroad crossing  
11 improvement assessment or crime laboratories and drug law enforcement  
12 assessment after payment of personal board and expenses and support of personal  
13 dependents to the extent directed by the court.

History: 1971 c. 278; 1977 c. 29; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27, 135, 237.

14 **SECTION 57.** 345.61 (2) (c) of the statutes is amended to read:

15 345.61 (2) (c) "Guaranteed arrest bond certificate" as used in this section means  
16 any printed card or other certificate issued by an automobile club, association or  
17 insurance company to any of its members or insureds, which card or certificate is  
18 signed by the member or insureds and contains a printed statement that the  
19 automobile club, association or insurance company and a surety company, or an  
20 insurance company authorized to transact both automobile liability insurance and  
21 surety business, guarantee the appearance of the persons whose signature appears  
22 on the card or certificate and that they will in the event of failure of the person to  
23 appear in court at the time of trial, pay any fine or forfeiture imposed on the person,  
24 including the penalty assessment required by s. ~~165.87~~ 757.05, the jail assessment

1 required by s. 302.46 (1), the railroad crossing improvement assessment required by  
2 s. 346.177, 346.495 or 346.65 (4r) and the crime laboratories and drug law  
3 enforcement assessment required by s. 165.755, in an amount not exceeding \$200,  
4 or \$1,000 as provided in sub. (1) (b).

5 History: 1977 c. 29; 1987 a. 27; 1989 a. 107; 1991 a. 39, 316; 1993 a. 16; 1997 a. 27, 135, 237.

5 **SECTION 58.** 778.02 of the statutes is amended to read:

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

21 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.

21 **SECTION 59.** 778.03 of the statutes is amended to read:

22 **778.03 Complaint to recover forfeited goods.** In an action to recover  
23 property forfeited by any statute it shall be sufficient to allege in the complaint that  
24 the property has been forfeited, specifying the statute, with a demand of judgment

1 for the delivery of the property, or the value thereof and for payment of the penalty  
2 assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1),  
3 the crime laboratories and drug law enforcement assessment imposed by s. 165.755,  
4 the enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c) and any  
5 applicable domestic abuse assessment imposed by s. 973.055 (1).

6 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.

**SECTION 60.** 778.06 of the statutes is amended to read:

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

15 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.

**SECTION 61.** 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.  
23 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by  
24 s. 165.755 and any applicable domestic abuse assessment imposed by s. 973.055 (1).

1 If the 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  
5 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement  
6 assessment imposed by s. 165.755 and any applicable domestic abuse assessment  
7 imposed by s. 973.055 (1). All moneys collected on the judgment shall be paid to the  
8 treasurer of the county, town, city, village or corporation, except that all jail  
9 assessments shall be paid to the 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.

10 **SECTION 62.** 778.105 of the statutes is amended to read:

11 **778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by  
12 any court or any branch thereof for the violation of any municipal or county  
13 ordinance shall be paid to the municipality or county. Penalty assessment payments  
14 shall be made as provided in s. ~~165.87~~ 757.05. Jail assessment payments shall be  
15 made as provided in s. 302.46 (1). Crime laboratories and drug law enforcement  
16 assessment payments shall be paid as provided in s. 165.755. Domestic abuse  
17 assessments shall be made as provided in s. 973.055.

History: 1977 c. 29; 1979 c. 32 s. 56; Stats. 1979 s. 778.105; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.

18 **SECTION 63.** 778.13 of the statutes is amended to read:

19 **778.13 Forfeitures collected, to whom paid.** All moneys collected in favor  
20 of the state for forfeiture, except the portion to be paid to any person who sues with  
21 the state, shall be paid by the officer who collects the forfeiture to the treasurer of the  
22 county within which the forfeiture was incurred within 20 days after its receipt. In  
23 case of any failure in the payment the county treasurer may collect the payment of  
24 the officer by action, in the name of the office and upon the official bond of the officer,

1 with interest at the rate of 12% per year from the time when it should have been paid.  
2 Penalty assessment payments shall be made as provided in s. ~~165.87~~ <sup>✓</sup> 757.05. Jail  
3 assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories  
4 and drug law enforcement assessment payments shall be paid as provided in s.  
5 165.755. Domestic abuse assessments shall be made as provided in s. 973.055.  
6 Enforcement assessments shall be made as provided in s. 253.06 (4) (c).

7 History: 1977 c. 29; 1979 c. 32 s. 56; 1979 c. 110 s. 60 (1<sup>β</sup>); Stats. 1979 s. 778.13; 1983 a. 192; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.

7 **SECTION 64.** 778.18<sup>✓</sup> of the statutes is amended to read:

8 **778.18 Penalty upon municipal judge.** If any municipal judge, of his or her  
9 own will, dismisses any action brought before the judge under this chapter, unless  
10 by order of the district attorney or attorney general or the person joined as plaintiff  
11 with the state, or renders a less judgment therein than is prescribed by law, or  
12 releases or discharges any such judgment or part thereof without payment or  
13 collection, the judge and the judge's sureties shall be liable, in an action upon the  
14 judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture  
15 imposed by the judge and for the penalty assessment imposed by s. ~~165.87~~ <sup>✓</sup> 757.05,  
16 the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law  
17 enforcement assessment imposed by s. 165.755 and any applicable domestic abuse  
18 assessment imposed by s. 973.055 (1), or for an amount equal to the amount in which  
19 any such judgment or any part thereof is released or discharged. If any municipal  
20 judge gives time or delay to any person against whom any such judgment is rendered  
21 by the judge, or takes any bond or security for its future payment, the judge and the  
22 judge's sureties shall also be liable for the payment of the judgment upon the judge's  
23 bond.

24 History: 1977 c. 29; 1979 c. 32 s. 56; Stats. 1979 s. 778.18; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.

24 **SECTION 65.** 800.03 (3)<sup>✓</sup> of the statutes is amended to read:

1           800.03 (3) The amount of the deposit shall be set by the municipal judge, but  
2 shall not be effective until approved by the governing body of the municipality. The  
3 amount shall not exceed the maximum penalty for the offense, including any penalty  
4 assessment that would be applicable under s. ~~165.87~~ 757.05, any jail assessment that  
5 would be applicable under s. 302.46 (1), any crime laboratories and drug law  
6 enforcement assessment that would be applicable under s. 165.755 and any domestic  
7 abuse assessment that would be applicable under s. 973.055 (1), plus court costs,  
8 including 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. 184, 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.

9           **SECTION 66.** 800.04 (2) (b) of the statutes is amended to read:

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

1 under this paragraph, he or she may be committed to jail pending trial only if the  
2 judge finds that there is a reasonable basis to believe the person will not appear in  
3 court.

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.

4 **SECTION 67. 800.04 (2) (c)** of the statutes is amended to read:

5 **800.04 (2) (c)** If the defendant has made a deposit under par. (b) or s. 800.03  
6 and does not appear, he or she is deemed to have tendered a plea of no contest and  
7 submits to a forfeiture, a penalty assessment imposed by s. ~~165.87~~ 757.05, a jail  
8 assessment imposed by s. 302.46 (1), a crime laboratories and drug law enforcement  
9 assessment imposed by s. 165.755 and any applicable domestic abuse assessment  
10 imposed by s. 973.055 (1) plus costs, including the fee prescribed in s. 814.65 (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 and issue a summons. If  
13 the court finds that the violation meets the conditions in s. 800.093 (1), the court may  
14 summon the alleged violator into court to determine if restitution shall be ordered  
15 under s. 800.093. If the defendant fails to appear in response to the summons, the  
16 court shall issue a warrant under s. 968.09. If the defendant has made a deposit but  
17 does appear, the 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.

18 **SECTION 68. 800.09 (1) (intro.)** of the statutes is amended to read:

19 **800.09 (1) JUDGMENT. (intro.)** If a municipal court finds a defendant guilty it  
20 may render judgment by ordering restitution under s. 800.093 and payment of a  
21 forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment  
22 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement  
23 assessment imposed by s. 165.755 and any applicable domestic abuse assessment

1 imposed by s. 973.055 (1) plus costs of prosecution, including the fee prescribed in s.  
2 814.65 (1). The court shall apply any payment received on a judgment that includes  
3 restitution to first satisfy any payment of restitution ordered, then to pay the  
4 forfeiture, assessments and costs. If the judgment is not paid, the court may proceed  
5 under par. (a), (b) or (c) or 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. 494u; 1989 a. 107; 1991 a. 39, 40, 189; 1993 a. 16; 1997 a. 27, 84.

6 **SECTION 69.** 800.12 (2) of the statutes is amended to read:

7 800.12 (2) A municipality may by ordinance provide that a municipal judge  
8 may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50  
9 or, upon nonpayment of the forfeiture, penalty assessment under s. ~~165.87~~ 757.05,  
10 jail assessment under s. 302.46 and crime laboratories and drug law enforcement  
11 assessment under s. 165.755 and any applicable domestic abuse assessment under  
12 s. 973.055 (1), a jail sentence not to exceed 7 days.

History: 1977 c. 305; 1979 c. 32 s. 68; 1979 c. 257; Stats. 1979 s. 800.12; 1987 a. 27; 1989 a. 107; 1991 a. 39; 1993 a. 16; 1997 a. 27.

13 **SECTION 70.** 814.60 (2) (a) of the statutes is amended to read:

14 814.60 (2) (a) Penalty assessment imposed by s. ~~165.87~~ 757.05;

History: 1981 c. 317; 1983 a. 27; 1985 a. 36; 1987 a. 27, 339; 1989 a. 64, 107; 1991 a. 39; 1993 a. 16; 1995 a. 224, 227, 448; 1997 a. 27, 248.

15 **SECTION 71.** 814.63 (3) (a) of the statutes is amended to read:

16 814.63 (3) (a) Penalty assessment imposed by s. ~~165.87~~ 757.05.

History: 1981 c. 317; 1985 a. 36; 1987 a. 27, 399; 1989 a. 22, 31, 64, 97, 107, 359; 1991 a. 26, 39, 130; 1993 a. 16, 167, 313; 1995 a. 27, 227, 349; 1997 a. 27, 248.

17 **SECTION 72.** 950.06 (2) of the statutes is amended to read:

18 950.06 (2) The costs of providing services under sub. (1m) shall be paid for by  
19 the county, but the county is eligible to receive reimbursement from the state for not  
20 more than 90% of the costs incurred in providing those services. The department  
21 shall determine the level of services for which a county may be reimbursed. The  
22 county board shall file a claim for reimbursement with the department. The  
23 department shall reimburse counties under this subsection from the appropriation



1 under s. 20.455 (5) (kk) and (kp) and, on a semiannual basis, from the appropriations  
2 under s. 20.455 (5) (c) and (g).

3 History: 1979 c. 219; 1981 c. 20; 1983 a. 27, 364; 1987 a. 244; 1991 a. 159; 1997 a. 181, 237.

3 **SECTION 73.** 973.05 (1) of the statutes is amended to read:

4 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant  
5 permission for the payment of the fine, of the penalty assessment imposed by s.  
6 ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime victim and  
7 witness assistance surcharge under s. 973.045, the crime laboratories and drug law  
8 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid  
9 analysis surcharge under s. 973.046, any applicable drug abuse program  
10 improvement surcharge imposed by s. 961.41 (5), any applicable domestic abuse  
11 assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver  
12 improvement surcharge imposed by s. 346.655, any applicable enforcement  
13 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed  
14 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),  
15 any applicable environmental assessment imposed by s. 299.93, any applicable wild  
16 animal protection assessment imposed by s. 29.983, any applicable natural resources  
17 assessment imposed by s. 29.987 and any applicable natural resources restitution  
18 payment imposed by s. 29.989 to be made within a period not to exceed 60 days. If  
19 no such permission is embodied in the sentence, the fine, the penalty assessment, the  
20 jail assessment, the crime victim and witness assistance surcharge, the crime  
21 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic  
22 acid analysis surcharge, any applicable drug abuse program improvement  
23 surcharge, any applicable domestic abuse assessment, any applicable driver  
24 improvement surcharge, any applicable enforcement assessment, any applicable

1 weapons assessment, any applicable uninsured employer assessment, any  
2 applicable environmental assessment, any applicable wild animal protection  
3 assessment, any applicable natural resources assessment and any applicable  
4 natural resources restitution payment shall be payable immediately.

~~NOTE: NOTE - Sub. (1) 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. 34, 111; 1981 c. 20, 88, 352; 1983 a. 27, 535; 1985 a. 36; 1987 a. 27, 339, 398; 1989 a. 64, 107, 359; 1991 a. 39; 1993 a. 16; 1995 a. 227, 438, 448; 1997 a. 3, 27, 35, 148, 248; s. 13.93 (2) (c).

5

(END)

1265

4. RP 165.85 (5m)

12. Amend 950.06 (2) to add  
a ref to 20.955 (5) (kp)  
(not on semi-annual basis)

Already  
in diff

3. Create a replica of 16.515  
for transfer from .505(6) (j)  
if agency needs more \$ to sum  
certain \$ there is \$ in  
balance....

B.5. Reclaim unspent balances.

4. Amend .505(6) (k) to ....

See attached memo  
of 1/19/99

**CORRESPONDENCE MEMORANDUM**

**STATE OF WISCONSIN**  
**Department of Administration**

**Date:** January 19, 1999  
**To:** Steve Miller  
Legislative Reference Bureau  
**From:** Andrew J. Statz  
DOA - State Budget Office  
**Subject:** Refinement of OJA penalty assessment appropriations

Regarding LRB draft # 1265, we need to refine OJA's penalty assessment appropriations. They should be in the same "amounts in the schedule" language as other appropriations receiving penalty assessment dollars.

We are trying to eliminate the "as needed" nature of OJA's transfers between appropriations. In 20.505(6)(kp) *Anti-drug enforcement program, penalty assessment - local*, please strike:

The executive staff director of the office of justice assistance may transfer moneys not needed as matching funds under this paragraph to par (kt).

In 20.505(6)(kt) *Anti-drug enforcement program, penalty assessment - state*, please add the usual language:

The amounts in the schedule to match federal funds made available under subtitle K of title I of P.L. 99-570 regarding allocations to state agencies for planning, programs, and administration regarding anti-drug abuse law enforcement assistance. All moneys transferred from the appropriation account under s. 20.505(6)(j) shall be credited to this appropriation account.

Section 20.505(6)(k) should also be changed to limit it to amounts in the Chapter 20 schedule. It should be available to match *any* federal funds in need of an admin match. There are too many grants to enumerate, so broad language would be best. Possibly:

20.505(6)(k) *Anti-drug enforcement program - administration*. The amounts in the schedule for the purpose of administering federal grants made available for law enforcement assistance. All moneys transferred from the appropriation account under s. 20.505(6)(j) shall be credited to this appropriation account.

Naturally, references to these appropriations should also be added to the list in 20.505(6)(j). You may change references to anti-drug as we discussed earlier - the statute name should remain the same, but broad language referring to P.L 99-570 should be used in lieu of specific uses within the text of the statutes.

**CORRESPONDENCE MEMORANDUM**

**STATE OF WISCONSIN  
Department of Administration**

**Date:** January 16, 1999

**To:** Steve Miller  
Legislative Reference Bureau

**From:** Andrew J. Statz  
DOA - State Budget Office

**Subject:** Reclaim unspent penalty assessment balances

Related to the overhaul of penalty assessment distribution, we need non-statutory language to execute a one-time reclamation of specified amounts from various agency appropriations. The transfers must occur immediately in the first year upon the effective date of the budget.

Attached is a spreadsheet detailing the appropriations and amounts to be transferred to the new central penalty assessment appropriation account 20.505(6)(j). The total transfer will total \$3,041,000.

These amounts must be transferred to s. 20.505(6)(j) before any of the effected appropriations are renumbered or repealed. I imagine that a delayed effective date for the renumbering or repeal would be the easiest way to accomplish this.

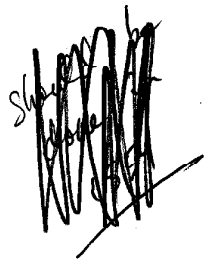
Renumbered appropriations will simply carry their remaining balances over after the transfer to 20.505(6)(j). The two effected appropriations that are repealed are 20.455(2)(hm) *County-tribal, surcharge receipts* and 20.455(2)(i) *Penalty assessment surcharge, receipts*.

Section 20.455(2)(hm) *County-tribal, surcharge receipts* fed county-tribal law enforcement local and state operations. These receivers are replaced in draft #1554/1 with an appropriation to receive Indian compact moneys - 20.455(2)(kt). Any balance left after the transfer to 20.505(6)(j) should be deposited there for local assistance.

Section 20.455(2)(i) *Penalty assessment surcharge, receipts* fed the law enforcement training fund local assistance and state operations and the crime lab equipment appropriations. The balance remaining after the transfer to 20.505(6)(j) should be deposited to the new 20.455(2)(kp) *Law enforcement training fund, local assistance*.

Feel free to call with questions. Thanks for your help.

20.502  
(3m)  
transfer  
by repeal



### Reclaim Unspent PA\$ Balances

90% of smallest balance in base year or FY01

Agency	Numeric	OLD alpha	NEW alpha	Title	Lapse amount	Comments
DOJ	225	455(2)(hm)	repealed	Co-tribal, surcharge receipts	\$ 71,900	feeds 226 and 227
DOJ	230	455(2)(i)	repealed	PA surcharge, receipts	\$ 195,000	feeds 230 231 237, second year
DOJ	231	455(2)(j)	(2)(kp)	LETF - local	\$ 258,100	
DOJ	232	455(2)(ja)	(2)(kq)	LETF - state	\$ 659,100	
DPI	221	255(2)(g)	(2)(kd)	Aid for AODA programs	\$ 1,116,800	renumbered
DPI	123	255(1)(hr)	(1)(kd)	AODA program	\$ 676,700	second year balance, renumbered
SPD	134	550(1)(i)	(1)(k)	Conferences and training	\$ 63,400	renumbered
				<b>total:</b>	<b>\$ 3,041,000</b>	

JFK comments re "1/2"

-1265/1

- 2-14- (2)(a) requested by who? (proposed to be used?)
- does D&A want to be required to find an emergency?
  - (b) notify cochairpersons  
preferred wording in DM, s. 7.32(3)
  - (c) delete "account"
  - Amend s. 16.515(3) to add x-ref.