

1999 Assembly Bill 671

Date of enactment: April 12, 2000
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1999 WISCONSIN ACT 71

AN ACT to amend 814.61 (1) (a), 814.61 (1) (b), 814.70 (1) and 814.70 (3) (intro.); and to create 814.61 (1) (e) of the statutes; relating to: court fees charged in harassment, child abuse and vulnerable adult actions.

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

SECTION 1. 814.61 (1) (a) of the statutes is amended to read:

814.61 (1) (a) Except as provided under pars. (c) and (d) and (e), at the commencement of all civil actions and special proceedings not specified in ss. 814.62 to 814.66, \$75. Of the fees received by the clerk under this paragraph, the county treasurer shall pay \$45 to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer shall credit \$15 of the \$45 to the appropriation under s. 20.680 (2) (j).

SECTION 2. 814.61 (1) (b) of the statutes is amended to read:

814.61 (1) (b) Except as provided in pars. (c) and (d) and (e), in addition to the fee under par. (a), at the commencement of an action affecting the family as defined in s. 767.02, a fee of \$20 to be deposited by the county treasurer in a separate account to be used by the county exclusively for the purposes specified in s. 767.11.

SECTION 3. 814.61 (1) (e) of the statutes is created to read:

814.61 (1) (e) No fee charged under this subsection in any action commenced under s. 813.122, 813.123 or 813.125 may be collected from a petitioner under s. 813.122, 813.123 or 813.125 if the petition alleges con-

duct that is the same as or similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a) 1. to 4. If no fee is collected under this paragraph, the fee charged under this subsection for petitions filed and granted under s. 813.122, 813.123 or 813.125 shall be collected from the respondent under s. 813.122, 813.123 or 813.125 if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.122 (4) or (5), 813.123 (4) or (5) or 813.125 (3) or (4).

SECTION 4. 814.70 (1) of the statutes is amended to read:

814.70 (1) SERVICE OF PROCESS. For each service or attempted service of a summons or any other process for commencement of an action, a writ, an order of injunction, a subpoena or any other order, \$12 for each defendant or person. If there is more than one defendant or person to be served at a given address, \$6 for each additional defendant or person. No fee charged under this subsection in any action commenced under s. 813.12, ~~813.122, 813.123~~ may be collected from a petitioner under s. 813.12, ~~813.122, 813.123~~. The fee charged under this subsection in any action commenced under s. 813.12, ~~813.122, 813.123~~ or 813.125 shall be collected from the respondent under s. 813.12, ~~813.122, 813.123~~ if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4), 813.122 (4) or (5), 813.123 (4) or (5) or 813.125 (3) or (4). No fee

* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

charged under this subsection in any action commenced under s. 813.125 may be collected from a petitioner under s. 813.125 if the petition alleges conduct that is the same as or similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a) 1. to 4. If no fee is collected under this subsection from a petitioner under s. 813.125, the fee charged under this subsection in any action commenced under s. 813.125 shall be collected from the respondent under s. 813.125 if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.125 (3) or (4).

SECTION 5. 814.70 (3) (intro.) of the statutes is amended to read:

814.70 (3) TRAVEL; CIVIL PROCESS. (intro.) For travel in serving any summons, writ or other process, except criminal warrants, and except that a fee under this subsection in any action commenced under s. 813.12, 813.122,

813.123 may not be collected from a petitioner but shall be collected from the respondent if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4), 813.122 (4) or (5), 813.123 (4) or (5) or 813.125 (3) or (4), and except that a fee under this subsection in any action commenced under s. 813.125 may not be collected from a petitioner if the petition alleges conduct that is the same as or similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a) 1. to 4. but shall be collected from the respondent if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.125 (3) or (4):

SECTION 6. Initial applicability.

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