

**2001 DRAFTING REQUEST**

**Bill**

Received: 10/06/2001

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Mark Gundrum (608) 267-5158

By/Representing: Jolene

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Addl. Drafters:

Subject: Courts - civil procedure

Extra Copies:

Submit via email: YES

Requester's email: Rep.Gundrum@legis.state.wi.us

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Municipal court remedies

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**Instructions:**

See Attached

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**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u>         | <u>Reviewed</u>      | <u>Typed</u>           | <u>Proofed</u> | <u>Submitted</u>           | <u>Jacketed</u>   | <u>Required</u> |
|--------------|------------------------|----------------------|------------------------|----------------|----------------------------|---|-----------------|
| /1           | nelsorp1<br>11/06/2001 | hhagen<br>11/06/2001 | jfrantze<br>11/09/2001 | _____          | lrb_docadmin<br>11/09/2001 |   | S&L             |
| /2           | nelsorp1<br>11/26/2001 | hhagen<br>11/27/2001 | pgreensl<br>11/27/2001 | _____          | lrb_docadmin<br>11/27/2001 | lrb_docadminS&L<br>01/03/2002<br>lrb_docadmin<br>01/03/2002 |                 |

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For  
*L. Atkinson*

<END>

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11/27/2001 11:47:52 AM

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| /1           | nelsorp1<br>11/06/2001 | hhagen<br>11/06/2001<br><i>12 hml<br/>11/27/01</i> | jfrantze<br>11/09/2001<br><i>11/27<br/>pg</i> | <del>11/27</del><br><i>self</i> | lrb_docadmin<br>11/09/2001 |                 | S&L             |

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*10/24 Talked to Jolene - she will get back to us.*

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|--------------|----------------|---------------------------|---------------|----------------------|------------------|-----------------|-----------------|
| 1?           | nelsorp1       | <i>11 hmk<br/>11/6/01</i> | <i>Jolene</i> | <i>Self<br/>11/9</i> |                  |                 |                 |

FE Sent For:

<END>

**Nelson, Robert P.**

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**From:** Churchill, Jolene  
**Sent:** Wednesday, October 03, 2001 11:35 AM  
**To:** Nelson, Robert P.  
**Subject:** Bill Draft Request for Representative Gundrum

Dear Bob,

Could you draft a bill containing the below language for Representative Gundrum?

Thank you!

Jolene Churchill, Assistant  
267-5158

-----Original Message-----

**From:** Churchill, Jolene  
**Sent:** Wednesday, October 03, 2001 10:34 AM  
**To:** Gundrum, Mark  
**Subject:** Judge Wambach Called - 414-541-6800

**Suggested Changes:**

**Ch. 800.095 (4)(b)1 - addition to sub. 1 - *"The court may impose a commitment that is either concurrent or consecutive to any other commitment imposed at the same time or previously by any court."***

P/c from Judge Wambach

414/541-6800

■ "commitment" ~~instead of~~ term of art

"imprisonment" is etc

② ANY form of confinement. In any  
prison <sup>inc.</sup> - confined by custody  
of Doc & jails, etc  
Any court.





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1

*Generate*  
**AN ACT ...; relating to noncompliance with a municipal court order.** *NO Bold*

***Analysis by the Legislative Reference Bureau***

Under current law, if a person is found guilty of violating a municipal ordinance, the municipal court may order the offender to pay a forfeiture, make restitution, pay any appropriate assessment, and pay the costs of prosecution, including court fees. If the offender agrees to do so, the court may order the person to perform community service work in lieu of making these payments. If the offender fails to comply with the court's order, the court may issue a warrant for the offender's arrest and require him or her to appear in court. When the offender does appear in court, current law allows the court to modify or suspend the order, order the person to perform community service work, or order the person imprisoned until the amount ordered is paid. The maximum term of imprisonment is 90 days, and the amount of the outstanding order is reduced by \$25 for each day of imprisonment.

This bill allows the municipal court, when ordering a term of imprisonment, to make that term consecutive with or concurrent to any other imprisonment to which the offender is currently serving.

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

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

2

**SECTION 1.** 800.095 (4) (b) 1. of the statutes is amended to read:

1           800.095 (4) (b) 1. That the defendant be imprisoned until the forfeiture,  
2 assessments, surcharge, and costs are paid, except that the defendant reduces the  
3 amount owed at a rate of at least \$25 for each day of imprisonment, including  
4 imprisonment following an arrest but prior to the findings under this subsection, and  
5 the maximum period of imprisonment is 90 days. The court may impose a term of  
6 imprisonment under this subdivision that is either concurrent with or consecutive  
7 to any other term of imprisonment imposed at the same time or any term of  
8 imprisonment imposed at any previous time by any court.

9 History: 1987 a. 389; 1987 a. 399 s. 494u; 1989 a. 31; 1991 a. 40; 1995 a. 27; 1997 a. 84, 250; 1999 a. 9 ss. 3083m, 3263; 1999 a. 185.

(END)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-3974/1

RPN:hmh:jf

OTHER

2  
stays

2001 BILL

*Regenerate*

1 AN ACT to amend 800.095 (4) (b) 1. of the statutes; relating to: noncompliance  
2 with a municipal court order.

***Analysis by the Legislative Reference Bureau***

Under current law, if a person is found guilty of violating a municipal ordinance, the municipal court may order the offender to pay a forfeiture, make restitution, pay any appropriate assessment, and pay the costs of prosecution, including court fees. If the offender agrees to do so, the court may order the person to perform community service work in lieu of making these payments. If the offender fails to comply with the court's order, the court may issue a warrant for the offender's arrest and require him or her to appear in court. When the offender does appear in court, current law allows the court to modify or suspend the order, order the person to perform community service work, or order the person imprisoned until the amount ordered is paid. The maximum term of imprisonment is 90 days, and the amount of the outstanding order is reduced by \$25 for each day of imprisonment.

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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:***



## Emery, Lynn

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**From:** Emery, Lynn  
**Sent:** Thursday, January 03, 2002 11:18 AM  
**To:** Rep.Gundrum  
**Subject:** LRB-3974/2 (attached as requested)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)  
(E-Mail: [lynn.emery@legis.state.wi.us](mailto:lynn.emery@legis.state.wi.us)) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703

**Basford, Sarah**

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**From:** Churchill, Jolene  
**Sent:** Thursday, January 03, 2002 11:32 AM  
**To:** Basford, Sarah  
**Subject:** Please jacket LRB 3974/2 for Rep. Gundrum's office. Thank you!