

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: 06/22/2001

Received By: kahlepj

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Hughes

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Addl. Drafters:

Subject: **Dom. Rel. - marriage  
Courts - costs and fees**

Extra Copies:

Submit via email: NO

Requester's email:

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**Pre Topic:**

ARC:.....Hughes - AM56,

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**Topic:**

Changing the marriage license fee

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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>
/?	kahlepj 06/22/2001	jdye 06/22/2001		_____			
/1			rschluet 06/22/2001	_____	lrb_docadmin 06/23/2001		

FE Sent For:

<END>

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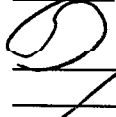

Topic:

Changing the marriage license fee

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	kahlepj	1 6/22 jld					
			6.22.01				

FE Sent For:

<END>

# Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

## Statement of Intent Marriage License Fees

<b>Legislator</b>	Gundrum	<b>Amendment</b>	56
<b>Legislator 2</b>		<b>Pass or Fail</b>	Pass
<b>Legislator 3</b>		<b>Spending Cut</b>	
<b>Legislator 4</b>		<b>Withdrawn</b>	
<b>Staff contact</b>	Jolene	<b>Package</b>	
<b>Agency</b>	Regulation and Licensing		

**Summary** Caps state marriage license fee at \$65 of which \$25 goes to the state, the remainder to the county. Counties would charge \$25 for the state portion of the license and would be permitted to add up to an additional \$40 for county costs.

Present law requires counties to charge \$49.50 per license and mandates that \$25 goes to the state and \$20 of the \$49.50 goes to pay for free divorce mediation services for divorcing couples who contest custody and placement of their children. This proposal eliminates the state mandate requiring \$20 of the marriage license fee to go to divorce mediation. Instead, divorcing parents who contest custody and placement would be required to pay \$100 to cover the cost of their initial mediation session.

**Fiscal Impact** No state fiscal effect. However, it will provide a fair amount of additional funds for counties.

**Drafting Inst**

**ARC Analyst** Hughes

PJK

**Request #** 81

Friday, June 22, 2001

2001

Date (time) needed \_\_\_\_\_

LRB b 1512 11

**ARC CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

PTK : jd : \_\_\_\_\_

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 1186, line 25: *after that line insert:*

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :





ASSEMBLY AMENDMENT,  
TO 2001 ASSEMBLY BILL 144

1 At the locations indicated, amend the bill as follows:

2 1. Page 1632, line 2: after that line insert:

3 **SECTION 3785c.** 765.15 of the statutes is amended to read:

4 **765.15 Fee to county clerk.** Each county clerk shall receive as a fee for each  
5 license granted the sum of \$49.50, of which ~~\$24.50 shall become a part of the funds~~  
6 ~~of the county, and \$25, which shall be paid into the state treasury. The county shall~~  
7 ~~use \$20 of the amount that it retains from each license fee only for expenses incurred~~  
8 ~~under s. 767.11. Each county board may increase the license fee of \$49.50 by any~~  
9 ~~amount, which by up to \$40, for a total fee not exceeding \$65. The amount by which~~  
10 ~~the license fee is increased over \$25 shall become a part of the funds of the county.~~  
11 ~~The clerk shall also receive a standard notary fee of 50 cents for each license granted~~  
12 ~~which may be retained by the clerk if operating on a fee or part fee basis, but which~~  
13 ~~otherwise shall become part of the funds of the county may but is not required to use~~

1 for expenses incurred under s. 767.11 any portion of the amount that it retains, if any.  
2 from each license fee."

3 2. Page ~~1270~~ line ~~40~~ after that line insert:

4 "SECTION 3832. 814.615 (1) (a) 1. of the statutes is amended to read:

5 814.615 (1) (a) 1. For the first mediation session conducted upon referral under  
6 s. 767.11 (5), ~~no a~~ fee of \$100."

# Page 1208, line 4: after that line insert:

7 "SECTION 3832. 814.615 (2) of the statutes is amended to read:

8 814.615 (2) In lieu of the any fee under sub. (1) (a) ~~2. or 3.~~, a county may  
9 establish a fee schedule to recover its reasonable costs of providing family court  
10 counseling services under s. 767.11. A fee schedule established under this subsection  
11 may apply in lieu of the fee any or all fees under sub. (1) (a) ~~2. or 3. or both,~~ and shall  
12 require no fee for the first mediation session conducted upon referral under s. 767.11  
13 (5); shall provide for payment for ~~any other~~ services based on the parties' ability to  
14 pay; and, and shall take into account the fees the county collects under s. 814.61 (1)  
15 (b) and (7) (b). Fees shall be based on services actually provided. The county may  
16 not collect a single fee applicable without regard to the number of sessions or services  
17 provided. Subject to sub. (3), the county shall provide family court counseling  
18 services to the parties even if both parties are unable to pay."

19 3. Page ~~1270~~ line ~~40~~ after that line insert:

20 "(~~4~~) PAYMENT FOR MEDIATION SERVICES.

21 (a) The treatment of section 765.15 of the statutes first applies to marriage  
22 license fees collected on the effective date of this paragraph.

1208 → 2

1416 ✓

16

(b) ← letter

1 (b) The treatment of section 814.615 (1) (a) 1. and (2) of the statutes first applies  
2 to mediation services for which referrals are made on the effective date of this  
3 paragraph.”

4 (END)





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb1512/1  
PJK:jld:rs

ARC:.....Hughes – AM56, Changing the marriage license fee

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1186, line 25: after that line insert:

3 “SECTION 3785c. 765.15 of the statutes is amended to read:

4 **765.15 Fee to county clerk.** Each county clerk shall receive as a fee for each  
5 license granted the sum of \$49.50, of which \$24.50 shall become a part of the funds  
6 of the county, and \$25, which shall be paid into the state treasury. The county shall  
7 use \$20 of the amount that it retains from each license fee only for expenses incurred  
8 under s. 767.11. Each county board may increase the license fee of \$49.50 by any  
9 amount, which by up to \$40, for a total fee not exceeding \$65. The amount by which  
10 the license fee is increased over \$25 shall become a part of the funds of the county.

1     ~~The clerk shall also receive a standard notary fee of 50 cents for each license granted~~  
2     ~~which may be retained by the clerk if operating on a fee or part fee basis, but which~~  
3     ~~otherwise shall become part of the funds of the county may but is not required to use~~  
4     ~~for expenses incurred under s. 767.11 any portion of the amount that it retains, if any,~~  
5     ~~from each license fee.”.~~

6             **2.** Page 1208, line 2: after that line insert:

7             “**SECTION 3832j.** 814.615 (1) (a) 1. of the statutes is amended to read:

8             814.615 (1) (a) 1. For the first mediation session conducted upon referral under  
9     s. 767.11 (5), ~~no~~ a fee of \$100.”.

10            **3.** Page 1208, line 4: after that line insert:

11            “**SECTION 3832L.** 814.615 (2) of the statutes is amended to read:

12            814.615 (2) In lieu of the any fee under sub. (1) ~~(a) 2. or 3.,~~ a county may  
13     establish a fee schedule to recover its reasonable costs of providing family court  
14     counseling services under s. 767.11. A fee schedule established under this subsection  
15     may apply in lieu of ~~the fee any or all fees~~ under sub. (1) ~~(a) 2. or 3. or both,~~ and shall  
16     ~~require no fee for the first mediation session conducted upon referral under s. 767.11~~  
17     ~~(5);~~ shall provide for payment for ~~any other~~ services based on the parties’ ability to  
18     pay; ~~and,~~ and shall take into account the fees the county collects under s. 814.61 (1)  
19     (b) and (7) (b). Fees shall be based on services actually provided. The county may  
20     not collect a single fee applicable without regard to the number of sessions or services  
21     provided. Subject to sub. (3), the county shall provide family court counseling  
22     services to the parties even if both parties are unable to pay.”.

23            **4.** Page 1416, line 16: after that line insert:

24            “(12b) PAYMENT FOR MEDIATION SERVICES.

1           (a) The treatment of section 765.15 of the statutes first applies to marriage  
2 license fees collected on the effective date of this paragraph.

3           (b) The treatment of section 814.615 (1) (a) 1. and (2) of the statutes first applies  
4 to mediation services for which referrals are made on the effective date of this  
5 paragraph.”.

6

(END)