

**2003 DRAFTING REQUEST**

**Bill**

Received: 11/25/2003

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Dean Kaufert (608) 266-5719

By/Representing: cale

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters:

Subject: Courts - costs and fees

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Increasing filing fees in municipal court

**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>
/?							S&L
/1	mlief 11/25/2003	kgilfoy 11/25/2003	jfrantze 11/26/2003		lnorthro 11/26/2003	lemery 01/06/2004	

FE Sent For:

→ At Intro.

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/?	mlief		<i>J 11/26</i>	<i>Self 11/26</i>			

FE Sent For:

<END>

11/24

Rep Kaufert's aide - Cale

Kaufert wants to increase  
the filing fees in muni  
courts from the current  
range of \$15-<sup>+</sup>23 (814.65(1))  
to \$15-<sup>+</sup>28. Leave \$5 to  
go to state as in  
current law.



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-3790/1

MJL: King

2003 BILL

as affected by  
2003 Wisconsin Acts  
30 and 32,

Gen. Cat.

1 AN ACT ~~relating to~~; **relating to**: increasing filing fees for municipal court actions.

*Analysis by the Legislative Reference Bureau*

Current law provides that in most municipal court actions, the filing fee must be at least \$15 but not more than \$23. This bill increases the upper limit to \$28.

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

*Legislative Reference Bureau 2004*

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

2 SECTION 1. 814.65 (1) of the statutes is amended to read:

3 814.65 (1) COURT COSTS. In a municipal court action, except for an action for  
4 a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1)  
5 (b), if the person who committed the violation had a blood alcohol concentration of  
6 0.08 or more but less than 0.1 at the time of the violation, or for a violation of an  
7 ordinance in conformity with s. 347.48 (2m), the municipal judge shall collect a fee  
8 of not less than \$15 nor more than \$23 28 on each separate matter, whether it is on

**BILL**

**SECTION 1**

1 default of appearance, a plea of guilty or no contest, on issuance of a warrant or  
 2 summons, or the action is tried as a contested matter. Of each fee received by the  
 3 judge under this subsection, the municipal treasurer shall pay monthly \$5 to the  
 4 secretary of administration for deposit in the general fund and shall retain the  
 5 balance for the use of the municipality.

NOTE: NOTE: Sub. (1) is shown as affected by two acts of the 2003 legislature, eff. 7-1-04, and as merged by the revisor under s. 13.93 (2) (c). Prior to 7-1-04 it reads: NOTE:  
 (1) COURT COSTS. In a municipal court action, except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of an ordinance in conformity with s. 347.48 (2m), the municipal judge shall collect a fee of not less than \$15 nor more than \$23 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons or the action is tried as a contested matter. Of each fee received by the judge under this subsection, the municipal treasurer shall pay monthly \$5 to the state treasurer for deposit in the general fund and shall retain the balance for the use of the municipality.

History: 1981 c. 317; 1983 a. 107; 1987 a. 181, 389, 399, 403; 1989 a. 22; 1991 a. 26; 1997 a. 27; 2003 a. 30, 33; s. 13.93 (2) (c).

**SECTION 2. Initial applicability.**

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

(END)

SEC.#. Effective date.  
 (#1) This act takes effect on  
 July 1, 2004.

**Emery, Lynn**

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**From:** Battles, Cale  
**Sent:** Tuesday, January 06, 2004 11:16 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 03-3790/1 Topic: Increasing filing fees in municipal court

It has been requested by <Battles, Cale> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-3790/1 Topic: Increasing filing fees in municipal court