

**2003 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB613)**

Received: **03/02/2004**

Received By: **jkreye**

Wanted: **Today**

Identical to LRB:

For: **Jeff Stone (608) 266-8590**

By/Representing: **marsha**

This file may be shown to any legislator: **NO**

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Tax - miscellaneous**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to: **joseph.kreye@legis.state.wi.us**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Setoffs against tax refunds

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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>
/?	jkreye 03/02/2004	kfollett 03/02/2004		_____			
/1	jkreye 03/03/2004	kfollett 03/04/2004	rschluet 03/02/2004	_____	lemery 03/02/2004	lemery 03/02/2004	
/2			rschluet	_____	lemery	lemery	

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			03/04/2004 _____		03/04/2004	03/04/2004	

FE Sent For:

**<END>**

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/1		12 kj 3/4	rschluet 03/02/2004	_____	lemery 03/02/2004	lemery 03/02/2004	

Handwritten signatures and numbers: 3, 4, 4, 5

03/02/2004 12:13:19 PM

Page 2

FE Sent For:

**<END>**

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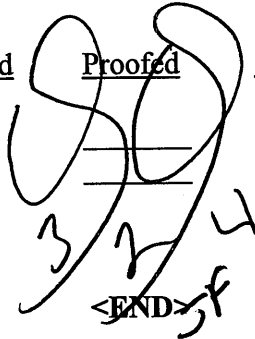
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/?	jkreye	1/1 kj 3/2					


  
 3 2 4  
 <END> jf

FE Sent For:

**Kreye, Joseph**

**From:** Dake, Marsha  
**Sent:** Friday, February 27, 2004 2:23 PM  
**To:** Kreye, Joseph  
**Subject:** Rep. Stone amendment request

Hi Joe,

Representative Stone would like a substitute amendment to Assembly Bill 613, the tax intercept proposal, to provide an opportunity for due proces.  
The following is the DOR's suggested amendment:

If the sponsor intends to make eligible those debts with the administrative notice and right to be heard, the phrase, "provided debt has been reduced to a judgment or the debtor has been afforded reasonable notice and an opportunity to be heard" can be added. This is similar to the language that appears in sec. 49.45(2)(a) 10, which refers to debts eligible for setoff under sec. 71.93.

Thank you, and please feel free to call if you have questions.

Marsha Dake  
Research Assistant  
Rep. Jeff Stone  
266-8590

*Apke to Marsha re request — 3-1  
will ask if Rep wants a sub or a sample*

## Kreye, Joseph

---

**From:** Dake, Marsha  
**Sent:** Tuesday, March 02, 2004 11:32 AM  
**To:** Kreye, Joseph  
**Subject:** RE: Rep. Stone amendment request

Yes - he does want a substitute amendment.  
Thank you for checking back on that!

Marsha

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

**From:** Kreye, Joseph  
**Sent:** Tuesday, March 02, 2004 9:34 AM  
**To:** Dake, Marsha  
**Subject:** RE: Rep. Stone amendment request

Hi Marsha,

Just a follow up from yesterday: do you know yet whether the representative wants a substitute amendment or a simple amendment?

Thanks,  
Joe

**Joseph T. Kreye**  
Legislative Attorney  
Legislative Reference Bureau  
(608) 266-2263

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

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**Sent:** Friday, February 27, 2004 2:23 PM  
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Marsha Dake  
Research Assistant  
Rep. Jeff Stone  
266-8590

50417/1

ASA

TO 2003 ASSEMBLY BILL 613

TODAY  
3-2

~~October 27, 2003 - Introduced by Representatives STONE, STASKUNAS, MONTGOMERY, HAHN, NASS, KREIBICH, PETROWSKI, BIES, HUNDERTMARK, OWENS, HINES, OTT, VAN ROY and ALBERS, cosponsored by Senators DARLING and ROESSLER. Referred to Committee on Urban and Local Affairs.~~

Reger

1 AN ACT to amend 71.935 (1) (a) of the statutes; relating to: setoffs against tax  
2 refunds.

**Analysis by the Legislative Reference Bureau**

~~Under current law, if a person owes a debt related to unpaid fines, fees, or forfeitures to a county or municipality, the county or municipality may certify the debt to the Department of Revenue (DOR) so that DOR may collect the debt for the county or municipality by subtracting the amount of the debt from any tax refund owed to the debtor. Under the bill, a county or municipality may certify any debt that is at least \$20, other than property tax-related debt, to DOR so that DOR may collect the debt for the county or municipality by subtracting the amount of the debt from any tax refund owed to the debtor.~~

~~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:**

3 SECTION 1. 71.935 (1) (a) of the statutes is amended to read:

4 71.935 (1) (a) "Debt" means a parking citation of at least \$20 that is unpaid and  
5 for which there has been no court appearance by the date specified in the citation or,



ASSEMBLY BILL 613

SECTION 1

1 if no date is specified, that is unpaid for at least 28 days ~~and~~; an unpaid fine, fee,  
2 restitution or forfeiture of at least \$20; and any other debt that is at least \$20, except  
3 debt related to property taxes.

4

(END)

*if the debt <sup>has</sup> been reduced to a judgment or  
the debtor has been afforded reasonable notice and  
an opportunity to be heard with regards to the debt*



run redraft make it

ASSEMBLY SUBSTITUTE AMENDMENT,  
TO 2003 ASSEMBLY BILL 613

Chair 3-4  
AM

Regen

municipality or county to which the debt is owed

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7 restitution or forfeiture of at least \$20; and any other debt that is at least \$20, except  
8 debt related to property taxes, if the debt has been reduced to a judgement or the  
9 debtor has been afforded reasonable notice and an opportunity to be heard with  
10 regards to the debt.

provided the debtor

(END)