2005 ASSEMBLY BILL 130

February 22, 2005 – Introduced by Representatives PETTIS, RHOADES, BALLWEG, HAHN, HINES, LEMAHIEU, MUSSER, OTT, TOWNSEND, VAN ROY, VOS and ALBERS, cosponsored by Senators A. LASEE and ROESSLER. Referred to Committee on Urban and Local Affairs.

1   AN ACT **relating to:** collection of fines and forfeitures by counties.

Analysis by the Legislative Reference Bureau

Under current law, if a circuit court imposes a fine or forfeiture on a person for violating a state law, the clerk of circuit court collects the amount owed and pays that amount to the county treasurer. The county treasurer, in turn, pays 90 percent of the fine and forfeiture money to the state, but is permitted to retain 10 percent of the money as administrative fees.

Until two years after its effective date, this bill allows the county to retain 40 percent of most fines and forfeitures that are not collected within 120 days of being imposed if the county employs collection staff who work for more than one county.

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. Nonstatutory provisions.

3   (1) Notwithstanding section 59.25 (3) (j) of the statutes, until 24 months after

4   the effective date of this subsection, the county treasurer shall retain 40 percent of

5   the state forfeitures and fines, other than those under chapters 341 to 347, 349, and

1 351 of the statutes, that are not collected within 120 days of being imposed as fees

2 if the county employs collection staff who work for more than one county.

3 **SECTION 2. Initial applicability.**

4 (1) This act first applies to fines and forfeitures imposed on the effective date

5 of this subsection.

6 **SECTION 3. Effective date.**

7 (1) This act takes effect on the first day of the 4th month beginning after

8 publication.

9 **(END)**