

2005 ASSEMBLY BILL 624

1 **AN ACT** *to repeal* 977.075 (1) (b), 977.075 (4) and 977.075 (5); *to consolidate,*
2 *renumber and amend* 977.075 (1) (intro.) and (a); and *to amend* 977.075 (3)
3 of the statutes; **relating to:** payments to the State Public Defender for legal
4 representation.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 977.075 (1) (intro.) and (a) of the statutes are consolidated,
6 renumbered 977.075 (3m) and amended to read:
7 977.075 (**3m**) The board shall establish by rule ~~fixed amounts as flat payments~~
8 ~~for the cost of representation~~ a fee schedule that sets the discount amount that a
9 person, other than a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b), who is
10 responsible for payment for legal representation, may elect to pay. ~~The rule shall~~

ASSEMBLY BILL 624**SECTION 1**

1 ~~require all of the following: (a) during a time period established by rule instead of~~
2 ~~paying the applicable fee under sub. (3). The fee schedule shall establish a discount~~
3 ~~fee for each type of case included in the schedule under sub. (3).~~ If a person elects
4 ~~to pay~~ pays the applicable ~~fixed amount~~ discount fee within the time period
5 ~~established under this section,~~ the person ~~cannot~~ may not be held liable for any
6 additional payment for counsel.

7 **SECTION 2.** 977.075 (1) (b) of the statutes is repealed.

8 **SECTION 3.** 977.075 (3) of the statutes is amended to read:

9 977.075 **(3)** The board shall establish by rule a fee schedule that sets the
10 amount that a person, other than a parent subject to s. 48.275 (2) (b) or 938.275 (2)
11 (b), who is responsible for payment for legal representation shall pay for the cost of
12 the legal representation if the person does not pay the applicable discount fee under
13 sub. (3m). The schedule shall establish a fee for a given type of case, and the fee for
14 a given type of case shall be based on the average cost, as determined by the board,
15 for representation for that type of case.

16 **SECTION 4.** 977.075 (4) of the statutes is repealed.

17 **SECTION 5.** 977.075 (5) of the statutes is repealed.

18 **SECTION 6. Initial applicability.**

19 (1) This act first applies to cases in which counsel is appointed on the effective
20 date of this subsection.

21 (END)