

2005 Assembly Bill 624

Date of enactment: **March 10, 2006**  
Date of publication\*: **March 24, 2006**

## 2005 WISCONSIN ACT 129

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

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

**SECTION 1.** 977.075 (1) (intro.) and (a) of the statutes are consolidated, renumbered 977.075 (3m) and amended to read:

977.075 (3m) The board shall establish by rule ~~fixed amounts as flat payments for the cost of representation a fee schedule that sets the discount amount~~ that a person, other than a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b), who is responsible for payment for legal representation, may elect to pay. ~~The rule shall require all of the following: (a) during a time period established by rule instead of paying the applicable fee under sub. (3). The fee schedule shall establish a discount fee for each type of case included in the schedule under sub. (3).~~ If a person elects to pay pays the applicable ~~fixed amount discount fee within the time period established under this section,~~ the person ~~cannot~~ may not be held liable for any additional payment for counsel.

**SECTION 2.** 977.075 (1) (b) of the statutes is repealed.

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

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

**SECTION 4.** 977.075 (4) of the statutes is repealed.

**SECTION 5.** 977.075 (5) of the statutes is repealed.

**SECTION 6. Initial applicability.**

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

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\* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].