2005 ASSEMBLY BILL 91

February 8, 2005 – Introduced by Representatives GUNDRUM, BIES, KRAWCZYK, HINES, STONE, LOTHIAN, ALBERS, PRIDEMORE and VRAKAS. Referred to Committee on Judiciary.

1 AN ACT *to amend* 800.095 (4) (b) 1. of the statutes; **relating to:** noncompliance

with a municipal court order.

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Analysis by the Legislative Reference Bureau

Under current law, if a person is found guilty of violating a municipal ordinance, the municipal court may order the offender to pay a forfeiture, make restitution, pay any appropriate assessment, and pay the costs of prosecution, including court fees. If the offender agrees to do so, the court may order the person to perform community service work in lieu of making these payments. If the offender fails to comply with the court's order, the court may issue a warrant for the offender's arrest and require him or her to appear in court. When the offender does appear in court, current law allows the court to modify or suspend the order, order the person to perform community service work, or order the person imprisoned until the amount ordered is paid. The maximum term of imprisonment is 90 days, and the amount of the outstanding order is reduced by \$25 for each day of imprisonment.

This bill allows the municipal court, when ordering a term of imprisonment, to make that term consecutive with or concurrent to any other imprisonment to which the offender is currently serving.

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:

2005 – 2006 Legislature

ASSEMBLY BILL 91

1	SECTION 1. 800.095 (4) (b) 1. of the statutes is amended to read:
2	800.095 (4) (b) 1. That the defendant be imprisoned until the forfeiture,
3	assessments, surcharge, and costs are paid, except that the defendant reduces the
4	amount owed at a rate of at least \$25 for each day of imprisonment, including
5	imprisonment following an arrest but prior to the findings under this subsection, and
6	the maximum period of imprisonment is 90 days. <u>The court may impose a term of</u>
7	imprisonment under this subdivision that is either concurrent with or consecutive
8	to any other term of imprisonment imposed at the same time or any term of
9	imprisonment imposed by any court.
10	SECTION 2. Initial applicability.
11	(1) This act first applies to municipal court actions commenced on the effective
12	date of this subsection.

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(END)