

2005 ASSEMBLY BILL 596

August 5, 2005 – Introduced by Representatives NISCHKE, KLEEFISCH, NASS, VRAKAS, PETROWSKI, LOTHIAN, KRAWCZYK, LEMAHIEU, OTT, VOS, ALBERS, OWENS, McCORMICK and HUNDERTMARK, cosponsored by Senators KEDZIE, ROESSLER and A. LASEE. Referred to Committee on Urban and Local Affairs.

1 **AN ACT** *to amend* 755.21 of the statutes; **relating to:** the sharing of collection
2 costs by cities, villages, towns, and counties.

Analysis by the Legislative Reference Bureau

Under current law, the municipal court collects forfeitures and certain assessments and surcharges for violations of city, village, and town ordinances and disburses them to the appropriate municipal entities and, in some instances, to the counties and to the state. Current law also authorizes the municipal court to contract with a collection agency to collect these forfeitures, assessments, and surcharges and provides that the costs of collection are deducted before the forfeitures, assessments, and surcharges are disbursed.

This bill requires each entity on whose behalf the forfeitures, assessments, and surcharges are collected to share the cost of collection in proportion to the entity's entitlement to the amount collected.

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.** 755.21 of the statutes is amended to read:
4 **755.21 Collection.** The municipal court may contract with a collection agency
5 for the collection of unpaid forfeitures, assessments, and surcharges under s. 66.0114

ASSEMBLY BILL 596**SECTION 1**

1 (1) (a). The contract shall provide that the collection agency shall be paid from the
2 proceeds recovered by the collection agency. ~~The net proceeds that the municipal~~
3 ~~court receives after the payment to the collection agency shall be considered the~~
4 ~~amount of forfeitures, assessments, and surcharges collected for distribution under~~
5 ~~s. 66.0114 (1) (bm) and (3) (b) and (c).~~ For each violation for which a forfeiture,
6 assessment, or surcharge is imposed, the municipal court shall determine the
7 amount to be distributed to each entity under s. 66.0114 (1) (bm) and (3) (b) and (c)
8 as follows:

9 (1) Calculate the percentage of the total violation amount to which the entity
10 is entitled before the collection agency is paid.

11 (2) Subtract from the amount collected for the violation the amount paid to the
12 collection agency to collect the violation amount.

13 (3) Multiply the remainder under sub. (2) by the percentage under sub. (1).

14 **SECTION 2. Initial applicability.**

15 (1) This act first applies to forfeitures, assessments, and surcharges collected
16 on the effective date of this subsection.

17 (END)