



2005 SENATE BILL 90

February 28, 2005 - Introduced by Senators HANSEN, TAYLOR and LASSA, cosponsored by Representatives LEHMAN, BERCEAU, CULLEN, GRIGSBY, GRONEMUS, HINES, STASKUNAS and TOWNSEND. Referred to Committee on Judiciary, Corrections and Privacy.

- 1 **AN ACT to amend** 778.027 and 967.057 of the statutes; **relating to:** prosecution
2 decisions based on certain payments to organizations or agencies.

Analysis by the Legislative Reference Bureau

Current law prohibits a prosecutor from dismissing or amending a criminal charge in exchange for a person's payment of a contribution to a crime prevention organization or a law enforcement agency's crime prevention fund. Current law similarly prohibits a prosecutor or any other attorney representing the state or a local government from dismissing or amending a citation or complaint in a civil case in exchange for such a payment if the citation or complaint alleges a violation punishable by a forfeiture. This bill extends the scope of these prohibitions so that they apply to a decision by a prosecutor or other government attorney not to commence a criminal prosecution or an action for a forfeiture, not just to a decision to dismiss or amend a charge, citation, or complaint that is already filed. The bill also extends the scope of the prohibitions so that they apply in cases involving payments other than restitution to any type of organization or agency, not just those involved in crime prevention.

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:

