



## 2013 SENATE BILL 653

February 28, 2014 – Introduced by Senators GROTHMAN, HARRIS, PETROWSKI and RISSER, cosponsored by Representatives BIES, MASON and PASCH. Referred to Committee on Judiciary and Labor.

1     **AN ACT to amend** 345.47 (1) (b) and 800.095 (1) (a) (intro.), 3. and 4. of the  
2             statutes; **relating to:** suspension of operating privilege for failure to pay  
3             monetary judgment.

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### *Analysis by the Legislative Reference Bureau*

Current law permits a court to suspend for up to two years the operating privilege of an individual who has failed to pay a monetary judgment entered against the individual. This bill reduces the maximum time for which the operating privilege may be suspended by a court under these circumstances from two years to one year.

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

4             **SECTION 1.** 345.47 (1) (b) of the statutes is amended to read:  
5             345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension  
6             or revocation, that the defendant's operating privilege be suspended. The operating  
7             privilege shall be suspended for 30 days or until the person pays the forfeiture, plus  
8             costs, fees, and surcharges imposed under ch. 814, but not to exceed ~~2 years~~ one year.

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1 If the defendant has notified the court that he or she is unable to pay the judgment  
2 because of poverty, and if the court, using the criteria in s. 814.29 (1) (d), determines  
3 that the defendant is unable to pay the judgment because of poverty, the court may  
4 not suspend the defendant's operating privilege without first providing the  
5 defendant with an opportunity to pay the judgment in installments, taking into  
6 account the defendant's income. Suspension under this paragraph shall not affect  
7 the power of the court to suspend or revoke under s. 343.30 or the power of the  
8 secretary to suspend or revoke the operating privilege. This paragraph does not  
9 apply if the judgment was entered solely for violation of an ordinance unrelated to  
10 the violator's operation of a motor vehicle.

11 **SECTION 2.** 800.095 (1) (a) (intro.), 3. and 4. of the statutes are amended to read:

12 800.095 (1) (a) (intro.) Suspension of the defendant's operating privilege until  
13 the defendant pays the judgment, but not to exceed ~~2 years~~ one year. If the court  
14 orders suspension under this paragraph, all of the following apply:

15 3. If the judgment remains unpaid at the end of the ~~2-year~~ one-year  
16 suspension, the court may not order a further suspension of operating privileges in  
17 relation to the outstanding judgment.

18 4. Serving the complete ~~2-year~~ one-year suspension of the defendant's  
19 operating privilege does not relieve the defendant of the responsibility to pay the  
20 judgment.

21 (END)