



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa0414/1
TKK:kjf:kf

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 139**

April 28, 2015 - Offered by Representative ALLEN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: before that line insert:

3 “SECTION 1g. 814.62 (intro.) of the statutes is amended to read:

4 **814.62 Fees in garnishment, wage earner and small claims actions.**

5 (intro.) The clerk of court shall collect the fees provided in this section. Unless a
6 specific exemption is provided, a governmental unit, as defined in s. 108.02 (17), shall
7 pay fees under this section. No fee charged under this section to a petitioner seeking
8 to recover on a civil judgment issued pursuant to s. 973.20 (1r) may be collected from
9 that petitioner but shall be collected from the debtor against whom the civil
10 judgment for restitution was entered under s. 973.20 (1r). The clerk shall collect the
11 following fees:”.

12 **2.** Page 2, line 6: after that line insert:

1 “**SECTION 2c.** 814.85 (1) (c) of the statutes is renumbered 814.85 (1) (c) 1. and
2 amended to read:

3 814.85 (1) (c) 1. Notwithstanding par. (a), and subject to subd. 2., the clerk of
4 circuit court shall charge and collect a \$51 court support services surcharge from any
5 person, including any governmental unit, as defined in s. 108.02 (17), paying a fee
6 under s. 814.62 (3) (a) or (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62
7 (1) or (2) if the party paying the fee seeks the recovery of money and the amount
8 claimed is equal to or less than the amount under s. 799.01 (1) (d).

9 **SECTION 2g.** 814.85 (1) (c) 2. of the statutes is created to read:

10 814.85 (1) (c) 2. No court support services surcharge charged under par. (a) to
11 a petitioner seeking to recover on a civil judgment issued pursuant to s. 973.20 (1r)
12 may be collected from that petitioner but shall be collected from the debtor against
13 whom the civil judgment for restitution was entered under s. 973.20 (1r).

14 **SECTION 2L.** 814.86 (1) of the statutes is renumbered 814.86 (1) (a) and
15 amended to read:

16 814.86 (1) (a) Except for an action for a financial responsibility violation under
17 s. 344.62 (2), or for a violation under s. 343.51 (1m) (b) or a safety belt use violation
18 under s. 347.48 (2m), and subject to par. (b), the clerk of circuit court shall charge and
19 collect a \$21.50 justice information system surcharge from any person, including any
20 governmental unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a),
21 (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information
22 system surcharge is in addition to the surcharge listed in sub. (1m).

23 **SECTION 2p.** 814.86 (1) (b) of the statutes is created to read:

24 814.86 (1) (b) No justice information surcharge charged under par. (a) to a
25 petitioner seeking to recover on a civil judgment issued pursuant to s. 973.20 (1r)

1 may be collected from that petitioner but shall be collected from the debtor against
2 whom the civil judgment for restitution was entered under s. 973.20 (1r).

3 **SECTION 2t.** 814.86 (1m) of the statutes is renumbered 814.86 (1m) (a) and
4 amended to read:

5 814.86 **(1m)** (a) Beginning on October 1, 1995, and subject to par. (b), whenever
6 the clerk of circuit court for Milwaukee County charges and collects a surcharge
7 under sub. (1), he or she shall also charge and collect a \$3.50 special prosecution
8 clerks surcharge. The special prosecution clerks surcharge is in addition to the
9 surcharge listed in sub. (1).

10 **SECTION 2x.** 814.86 (1m) (b) of the statutes is created to read:

11 814.86 **(1m)** (b) No special prosecution clerks surcharge charged under par. (a)
12 to a petitioner seeking to recover on a civil judgment issued pursuant to s. 973.20 (1r)
13 may be collected from that petitioner but shall be collected from the debtor against
14 whom the civil judgment for restitution was entered under s. 973.20 (1r).”.

15 (END)