

1991 Assembly Bill 124

Date of enactment: **November 14, 1991**

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# 1991 WISCONSIN ACT 63

AN ACT to amend 969.03 (1) (d); and to create 969.02 (7m), 969.03 (4), 969.03 (5) and 969.03 (6) of the statutes, relating to: cash deposits for defendants charged with crimes.

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

**SECTION 1.** 969.02 (7m) of the statutes is created to read:

969.02 (7m) The restrictions on the application of cash deposits under subs. (6) and (7) do not apply if bail is forfeited under s. 969.13.

**SECTION 2.** 969.03 (1) (d) of the statutes is amended to read:

969.03 (1) (d) Require the execution of an appearance bond with sufficient solvent sureties, or the deposit of cash in lieu of sureties. ~~If a judgment for a fine or costs or both is entered, any deposit of cash shall be applied to the payment of the judgment.~~

**SECTION 3.** 969.03 (4) of the statutes is created to read:

969.03 (4) If a judgment for a fine or costs or both is entered in a prosecution in which a deposit had been

made in accordance with sub. (1) (d), the balance of the deposit, after deduction of the bond costs, shall be applied to the payment of the judgment.

**SECTION 4.** 969.03 (5) of the statutes is created to read:

969.03 (5) If the complaint against the defendant has been dismissed or if the defendant has been acquitted, the entire sum deposited shall be returned. A deposit under sub. (1) (d) shall be returned to the person who made the deposit, his or her heirs or assigns, subject to sub. (4).

**SECTION 5.** 969.03 (6) of the statutes is created to read:

969.03 (6) The restriction on the application of cash deposits under subs. (4) and (5) do not apply if bail is forfeited under s. 969.13.

**SECTION 6. Initial applicability.** This act first applies to cash deposits made on the effective date of this SECTION.

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