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State of Misconsin 2003 - 2004 LEGISLATURE

## ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 2003 ASSEMBLY BILL 334

January 14, 2004 – Offered by COMMITTEE ON CORRECTIONS AND THE COURTS.

1 AN ACT to repeal 969.12 (1); and to amend 969.12 (2) of the statutes; relating

to: sureties in criminal cases.

## Analysis by the Legislative Reference Bureau

Under current law, a surety -- a person who guarantees the appearance at trial of a criminal defendant and who must pay any fine imposed if the defendant does not appear -- must either be a natural person who is a resident of the state or act as a surety through an automobile club, association, or insurance company. Current law also prohibits a surety from being compensated for acting as a surety.

This bill authorizes an insurer that is licensed to do business in this state to act as a surety. The bill also specifies that the prohibition on compensation for a surety does not apply to an insurer that is licensed to do business in this state or to a person acting as a surety through an automobile club, association, or insurance company.

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

**SECTION 1.** 969.12 (1) of the statutes is repealed.

4 **SECTION 2.** 969.12 (2) of the statutes is amended to read:

6	(END)
5	for acting as <del>such</del> a surety <u>under this chapter</u> .
4	licensed to do business in this state or a surety under s. 345.61, may be compensated
3	under s. 345.61. No <del>surety under this chapter <u>person</u> or entity, other than an insurer</del>
2	is a resident of the state, an insurer licensed to do business in this state, or a surety
1	969.12 (2) A surety under this chapter shall be a natural person, except who