



**SENATE AMENDMENT 51,  
TO ASSEMBLY BILL 40**

June 20, 2013 – Offered by Senator CARPENTER.

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

2 **1.** Page 405, line 23: after that line insert:

3 “SECTION 516r. 25.40 (1) (a) 27. of the statutes is repealed.”.

4 **2.** Page 1038, line 2: after that line insert:

5 “SECTION 1905m. 165.755 (1) (b) of the statutes is amended to read:

6 165.755 (1) (b) A court may not impose the crime laboratories and drug law  
7 enforcement surcharge under par. (a) for a violation of s. 101.123 (2) or (2m), for a  
8 financial responsibility violation under s. 344.62 (2), or for a violation of a state law  
9 or municipal or county ordinance involving a nonmoving traffic violation, a violation  
10 under s. 343.51 (1m) (b), or a safety belt use violation under s. 347.48 (2m).”.

11 **3.** Page 1138, line 22: after that line insert:

12 “SECTION 2157m. 302.46 (1) (a) of the statutes is amended to read:

1           302.46 (1) (a) If a court imposes a fine or forfeiture for a violation of state law  
2 or for a violation of a municipal or county ordinance except for a violation of s. 101.123  
3 (2) or (2m), ~~for a financial responsibility violation under s. 344.62 (2),~~ or for a violation  
4 of state laws or municipal or county ordinances involving nonmoving traffic  
5 violations, violations under s. 343.51 (1m) (b), or safety belt use violations under s.  
6 347.48 (2m), the court, in addition, shall impose a jail surcharge under ch. 814 in an  
7 amount of 1 percent of the fine or forfeiture imposed or \$10, whichever is greater.  
8 If multiple offenses are involved, the court shall determine the jail surcharge on the  
9 basis of each fine or forfeiture. If a fine or forfeiture is suspended in whole or in part,  
10 the court shall reduce the jail surcharge in proportion to the suspension.”.

11           **4.** Page 1141, line 7: after that line insert:

12           “**SECTION 2165e.** 344.14 (2) (L) of the statutes is repealed.

13           **SECTION 2165m.** 344.25 (7) of the statutes is repealed.

14           **SECTION 2165s.** Subchapter VI of chapter 344 [precedes 344.61] of the statutes  
15 of the statutes is repealed.”.

16           **5.** Page 1207, line 14: after that line insert:

17           “**SECTION 2272m.** 757.05 (1) (a) of the statutes is amended to read:

18           757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of  
19 state law or for a violation of a municipal or county ordinance except for a violation  
20 of s. 101.123 (2) or (2m), ~~for a financial responsibility violation under s. 344.62 (2),~~  
21 or for a violation of state laws or municipal or county ordinances involving  
22 nonmoving traffic violations, violations under s. 343.51 (1m) (b), or safety belt use  
23 violations under s. 347.48 (2m), there shall be imposed in addition a penalty  
24 surcharge under ch. 814 in an amount of 26 percent of the fine or forfeiture imposed.

1 If multiple offenses are involved, the penalty surcharge shall be based upon the total  
2 fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or  
3 in part, the penalty surcharge shall be reduced in proportion to the suspension.”.

4 **6.** Page 1212, line 6: after that line insert:

5 “**SECTION 2285r.** 814.63 (1) (c) of the statutes is amended to read:

6 814.63 (1) (c) This subsection does not apply to an action for a violation of s.  
7 101.123 (2) or (2m), ~~for a financial responsibility violation under s. 344.62 (2),~~ for a  
8 violation under s. 343.51 (1m) (b), or for a safety belt use violation under s. 347.48  
9 (2m).

10 **SECTION 2285s.** 814.63 (2) of the statutes is amended to read:

11 814.63 (2) Upon the disposition of a forfeiture action in circuit court for  
12 violation of a county, town, city, village, town sanitary district, or public inland lake  
13 protection and rehabilitation district ordinance, ~~except for an action for a financial~~  
14 ~~responsibility violation under s. 344.62 (2) or~~ for a violation under s. 343.51 (1m) (b)  
15 or a safety belt use violation under s. 347.48 (2m), the county, town, city, village, town  
16 sanitary district, or public inland lake protection and rehabilitation district shall pay  
17 a nonrefundable fee of \$5 to the clerk of circuit court.

18 **SECTION 2285t.** 814.65 (1) of the statutes is amended to read:

19 814.65 (1) COURT COSTS. In a municipal court action, ~~except for a financial~~  
20 ~~responsibility violation under s. 344.62 (2) or~~ for a violation of an ordinance in  
21 conformity with s. 343.51 (1m) (b) or 347.48 (2m), the municipal judge shall collect  
22 a fee of not less than \$15 nor more than \$28 on each separate matter, whether it is  
23 on default of appearance, a plea of guilty or no contest, on issuance of a warrant or  
24 summons, or the action is tried as a contested matter. Of each fee received by the

1 judge under this subsection, the municipal treasurer shall pay monthly \$5 to the  
2 secretary of administration for deposit in the general fund and shall retain the  
3 balance for the use of the municipality.”.

4 **7.** Page 1213, line 16: after that line insert:

5 **“SECTION 2293r.** 814.85 (1) (a) of the statutes is amended to read:

6 814.85 (1) (a) Except for an action for a financial responsibility violation under  
7 ~~s. 344.62 (2)~~, or for a violation under s. 343.51 (1m) (b) or a safety belt use violation  
8 under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$68 court  
9 support services surcharge from any person, including any governmental unit as  
10 defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63  
11 (1).

12 **SECTION 2293s.** 814.86 (1) of the statutes is amended to read:

13 814.86 (1) Except for an action for a financial responsibility violation under s.  
14 ~~344.62 (2)~~, or for a violation under s. 343.51 (1m) (b) or a safety belt use violation  
15 under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$21.50 justice  
16 information system surcharge from any person, including any governmental unit, as  
17 defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am), 814.62  
18 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information system surcharge is in  
19 addition to the surcharge listed in sub. (1m).”.

20 (END)