



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa2158/1
ZDW:amn

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 699**

February 15, 2016 - Offered by Representative A. OTT.

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

2 **1.** Page 2, line 7: after that line insert:

3 **"SECTION 2m.** 165.755 (1) (b) of the statutes is amended to read:

4 165.755 (1) (b) A court may not impose the crime laboratories and drug law
5 enforcement surcharge under par. (a) for a violation of s. 101.123 (2) or (2m), for a
6 financial responsibility violation under s. 344.62 (2), or for a violation of a state law
7 or municipal or county ordinance involving a nonmoving traffic violation, a violation
8 under s. 343.51 (1m) (b), ~~or~~ a safety belt use violation under s. 347.48 (2m), or a
9 personal flotation device use violation under s. 30.68 (1).

10 **SECTION 3m.** 302.46 (1) (a) of the statutes is amended to read:

11 302.46 (1) (a) If a court imposes a fine or forfeiture for a violation of state law
12 or for a violation of a municipal or county ordinance except for a violation of s. 101.123
13 (2) or (2m), for a financial responsibility violation under s. 344.62 (2), or for a violation

1 of state laws or municipal or county ordinances involving nonmoving traffic
2 violations, violations under s. 343.51 (1m) (b), or safety belt use violations under s.
3 347.48 (2m), or personal flotation device use violations under s. 30.68 (1), the court,
4 in addition, shall impose a jail surcharge under ch. 814 in an amount of 1 percent of
5 the fine or forfeiture imposed or \$10, whichever is greater. If multiple offenses are
6 involved, the court shall determine the jail surcharge on the basis of each fine or
7 forfeiture. If a fine or forfeiture is suspended in whole or in part, the court shall
8 reduce the jail surcharge in proportion to the suspension.

9 **SECTION 4m.** 757.05 (1) (a) of the statutes is amended to read:

10 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
11 state law or for a violation of a municipal or county ordinance except for a violation
12 of s. 101.123 (2) or (2m), for a financial responsibility violation under s. 344.62 (2),
13 or for a violation of state laws or municipal or county ordinances involving
14 nonmoving traffic violations, violations under s. 343.51 (1m) (b), or safety belt use
15 violations under s. 347.48 (2m), or personal flotation device use violations under s.
16 30.68 (1), there shall be imposed in addition a penalty surcharge under ch. 814 in an
17 amount of 26 percent of the fine or forfeiture imposed. If multiple offenses are
18 involved, the penalty surcharge shall be based upon the total fine or forfeiture for all
19 offenses. When a fine or forfeiture is suspended in whole or in part, the penalty
20 surcharge shall be reduced in proportion to the suspension.

21 **SECTION 5m.** 814.63 (1) (c) of the statutes is amended to read:

22 814.63 (1) (c) This subsection does not apply to an action for a violation of s.
23 101.123 (2) or (2m), for a financial responsibility violation under s. 344.62 (2), for a
24 violation under s. 343.51 (1m) (b), or for a safety belt use violation under s. 347.48
25 (2m), or for a personal flotation device use violation under s. 30.68 (1).

1 **SECTION 6m.** 814.63 (2) of the statutes is amended to read:

2 814.63 (2) Upon the disposition of a forfeiture action in circuit court for
3 violation of a county, town, city, village, town sanitary district, or public inland lake
4 protection and rehabilitation district ordinance, except for an action for a financial
5 responsibility violation under s. 344.62 (2) ~~or~~, for a violation under s. 343.51 (1m) (b)
6 ~~or~~, for a safety belt use violation under s. 347.48 (2m), or for a personal flotation
7 device use violation under s. 30.68 (1), the county, town, city, village, town sanitary
8 district, or public inland lake protection and rehabilitation district shall pay a
9 nonrefundable fee of \$5 to the clerk of circuit court.

10 **SECTION 7m.** 814.85 (1) (a) of the statutes is amended to read:

11 814.85 (1) (a) Except for an action for a financial responsibility violation under
12 s. 344.62 (2), ~~or~~ for a violation under s. 343.51 (1m) (b) ~~or~~, for a safety belt use violation
13 under s. 347.48 (2m), or for a personal flotation device use violation under s. 30.68
14 (1), the clerk of circuit court shall charge and collect a \$68 court support services
15 surcharge from any person, including any governmental unit as defined in s. 108.02
16 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

17 **SECTION 8m.** 814.86 (1) of the statutes is amended to read:

18 814.86 (1) Except for an action for a financial responsibility violation under s.
19 344.62 (2), ~~or~~ for a violation under s. 343.51 (1m) (b) ~~or~~, for a safety belt use violation
20 under s. 347.48 (2m), or for a personal flotation device use violation under s. 30.68
21 (1), the clerk of circuit court shall charge and collect a \$21.50 justice information
22 system surcharge from any person, including any governmental unit, as defined in
23 s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or

1 (3) (a) or (b), or 814.63 (1). The justice information system surcharge is in addition
2 to the surcharge listed in sub. (1m).”

3 (END)