



2025 SENATE BILL 188

April 14, 2025 - Introduced by Senator FEYEN, cosponsored by Representatives BROOKS, KNODL, BEHNKE, MOSES, MURSAU, NOVAK, SINICKI, WICHGERS and O'CONNOR. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT** *to amend* 757.05 (1) (a) of the statutes; **relating to:** reduction of
2 penalty surcharge when certain fines or forfeitures reduced.

Analysis by the Legislative Reference Bureau

Under current law, when a court imposes a fine or forfeiture for certain violations of state law or municipal or county ordinances, a penalty surcharge in the amount of 26 percent of the amount of the fine or forfeiture is also imposed. Current law provides that when a fine or forfeiture is suspended in whole or in part, the penalty surcharge must be reduced in proportion to the suspension. This bill requires the same rule to be applied for reduction of a fine or forfeiture. Under the bill, when a fine or forfeiture to which the penalty surcharge applies is reduced, the penalty surcharge must also be reduced in proportion to the reduction.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 757.05 (1) (a) of the statutes is amended to read:
4 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of

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1 state law or for a violation of a municipal or county ordinance except for a violation
2 of s. 101.123 (2) or (2m), for a financial responsibility violation under s. 344.62 (2),
3 or for a violation of state laws or municipal or county ordinances involving
4 nonmoving traffic violations, violations under s. 343.51 (1m) (b), or safety belt use
5 violations under s. 347.48 (2m), there shall be imposed in addition a penalty
6 surcharge under ch. 814 in an amount of 26 percent of the fine or forfeiture
7 imposed. If multiple offenses are involved, the penalty surcharge shall be based
8 upon the total fine or forfeiture for all offenses. When a fine or forfeiture is
9 suspended or reduced in whole or in part, the penalty surcharge shall be reduced in
10 proportion to the suspension or reduction.

11 (END)