



## Legislative Fiscal Bureau

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March 16, 2010

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Assembly Bill 468: Increasing Municipal Court Fees

Assembly Bill 468 would increase certain municipal court fees by \$10. The bill was introduced on October 6, 2009, and referred to the Committee on Corrections and the Courts. A public meeting was held on January 7, 2010, and passage of the bill was recommended by the Committee on February 16, 2010, and referred to the Joint Committee on Finance.

### **CURRENT LAW**

Under current law, effective July 1, 2010, except for certain actions (identified below), a municipal judge must collect a fee of not less than \$15 nor more than \$28 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons, or the action is tried as a contested matter. The fee does not apply to the following actions:

- a. For a financial responsibility violation related to possession of a motor vehicle liability policy;
- b. For a violation of an ordinance related to a special identification card for parking privileges; and
- c. For a violation of an ordinance related to safety belt use.

Of each fee received by the judge, the municipal treasurer must pay monthly \$5 to the Department of Administration for deposit into the general fund. The municipality retains the remaining balance. In calendar year 2009, the state received \$2,184,800 from municipal court fees.

## **SUMMARY OF BILL**

Assembly Bill 468 (AB 468) would increase the maximum amount a municipal judge may collect in a municipal court action from \$28 to \$38. As a result, municipalities may receive additional revenue under the bill.

## **FISCAL EFFECT**

The bill does not appropriate funding or affect state revenues. A fiscal estimate for the bill was prepared by the Department of Administration, which states the "new maximum court fee may increase revenue to municipalities, however DOA does not have access to data necessary to determine the fiscal effect."

The state does not maintain data on revenue retained by municipal courts. As a result, it is unknown how much municipalities charge or collect for municipal court actions. However, based on the \$2.2 million that the state received in 2009 from municipal court fees, it may be estimated that there were approximately 440,000 actions in municipal court that year (assuming 100% collection rates). Using this data, if the full \$10 increase in municipal court fees was assessed and collected, a maximum of \$4.4 million in additional revenue would be generated from municipal courts statewide.

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