



2005 SENATE BILL 389

October 17, 2005 - Introduced by Senator DARLING, cosponsored by Representatives KLEEFISCH, MOLEPSKE, GUNDRUM, VOS, MURSAU, SEIDEL, MUSSER, HINES, SCHNEIDER, PETROWSKI and TOWNSEND. Referred to Committee on Judiciary, Corrections and Privacy.

- 1 **AN ACT** *to renumber and amend* 778.25 (8) (a); and *to create* 778.25 (8) (a) 2.
2 of the statutes; **relating to:** default judgments in cases involving citations
3 issued for certain violations, including underage drinking and smoking.

Analysis by the Legislative Reference Bureau

Under current law, the citations procedure that applies to violations of rules promulgated by the UW Board of Regents requires the court to issue a summons or an arrest warrant if the person who received a citation fails to make a deposit and fails to appear in court at the time fixed in the citation. This citation procedure is also used for other types of violations, including:

1. Underage possession or use of alcohol, cigarettes, or drug paraphernalia.
2. Harassment.
3. Body passing or alcohol use at a sporting event.
4. Damage to state property.
5. Noncompliance with rental unit standards.

This bill allows the court, as an alternative to issuing a summons or arrest warrant, to consider the violator's nonappearance to be a plea of no contest and to enter judgment accordingly. This procedure is identical to the procedure available to courts in cases involving violations of natural resource laws, traffic violations, and municipal ordinance violations.

