



## 2009 SENATE BILL 636

March 23, 2010 - Introduced by Senators WIRCH, HOLPERIN, SCHULTZ, LASSA and LEHMAN, cosponsored by Representatives STEINBRINK, RADCLIFFE, BARCA, ZIGMUNT, VAN AKKEREN, TURNER, STASKUNAS, MILROY, ZIEGELBAUER, HRAYCHUCK, MURSAU, BERCEAU, MOLEPSKE JR. and NYGREN. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

1     **AN ACT** *to create* 20.475 (1) (g), 814.75 (15m), 814.77 (8m), 814.78 (9m), 814.79  
2           (6m), 814.80 (8m) and 814.87 of the statutes; **relating to:** imposing a surcharge  
3           for certain forfeitures and making an appropriation.

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### *Analysis by the Legislative Reference Bureau*

This bill creates a justice service surcharge of \$5 to be paid by each person found guilty in a circuit court of a violation that results in a forfeiture. The money collected from this surcharge is used to help pay the salaries and fringe benefits of deputy and assistant district attorneys.

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

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

4           **SECTION 1.** 20.475 (1) (g) of the statutes is created to read:  
5           20.475 (1) (g) *Salary and fringe benefits from surcharge.* All moneys received  
6           from the justice services surcharge under s. 814.87 for salaries and fringe benefits  
7           of deputy and assistant district attorneys.

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1           **SECTION 2.** 814.75 (15m) of the statutes is created to read:

2           814.75 (**15m**) The justice service surcharge under s. 814.87.

3           **SECTION 3.** 814.77 (8m) of the statutes is created to read:

4           814.77 (**8m**) The justice service surcharge under s. 814.87.

5           **SECTION 4.** 814.78 (9m) of the statutes is created to read:

6           814.78 (**9m**) The justice service surcharge under s. 814.87.

7           **SECTION 5.** 814.79 (6m) of the statutes is created to read:

8           814.79 (**6m**) The justice service surcharge under s. 814.87.

9           **SECTION 6.** 814.80 (8m) of the statutes is created to read:

10          814.80 (**8m**) The justice service surcharge under s. 814.87.

11          **SECTION 7.** 814.87 of the statutes is created to read:

12          **814.87 Justice service surcharge. (1)** If a circuit court imposes a forfeiture  
13 for a violation committed before July 1, 2011, the clerk of circuit court shall charge  
14 and collect a justice service surcharge of \$5 from the person found guilty of the  
15 violation.

16          **(2)** The clerk of circuit court shall pay the money collected under sub. (1) to the  
17 county treasurer under s. 59.40 (2) (m). The county treasurer shall pay those moneys  
18 to the secretary of administration under s. 59.25 (3) (p).

19          **(3)** All moneys paid to the secretary of administration under sub. (2) shall be  
20 credited to the appropriation account under s. 20.475 (1) (g).

21          **SECTION 8. Nonstatutory provisions.**

22          **(1) LAYOFF OF ASSISTANT DISTRICT ATTORNEYS.** It is the intent of the legislature  
23 that moneys credited to the appropriation account under section 20.475 (1) (g) of the  
24 statutes, as created by this act, be expended during the 2009–11 fiscal biennium so  
25 as to avoid the layoff of any deputy or assistant district attorney, and any

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1 requirement that a deputy or assistant district attorney be required to take more  
2 than 5 days of unpaid leave during each fiscal year of the 2009-11 fiscal biennium,  
3 on account of lack of state funding or any other economic reason.

4 (END)