



State of Wisconsin
2015 - 2016 LEGISLATURE

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2015 ASSEMBLY BILL 604

December 22, 2015 - Introduced by Representatives SPIROS, MASON, BALLWEG, HESSELBEIN, SINICKI, HORLACHER, KOLSTE, KULP, BOWEN, RIEMER, SPREITZER, GOYKE, KAHL, POPE, BROSTOFF, BERCEAU, LOUDENBECK, JOHNSON, HEBL, OHNSTAD, YOUNG, A. OTT, CONSIDINE and RIPP, cosponsored by Senators PETROWSKI, HARRIS DODD, L. TAYLOR, RINGHAND, HANSEN and LASEE. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT to amend** 345.47 (1) (b) and 800.095 (1) (a) (intro.), 3. and 4. of the
2 statutes; **relating to:** suspension of operating privilege for failure to pay
3 monetary judgment.

Analysis by the Legislative Reference Bureau

Current law permits a court to suspend for up to two years the operating privilege of an individual who has failed to pay a monetary judgment entered against the individual. This bill reduces the maximum time for which the operating privilege may be suspended by a court under these circumstances from two years to one year.

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

4 **SECTION 1.** 345.47 (1) (b) of the statutes is amended to read:
5 345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension
6 or revocation, that the defendant's operating privilege be suspended. The operating
7 privilege shall be suspended for 30 days or until the person pays the forfeiture, plus
8 costs, fees, and surcharges imposed under ch. 814, but not to exceed ~~2 years~~ one year.

ASSEMBLY BILL 604**SECTION 1**

1 If the defendant has notified the court that he or she is unable to pay the judgment
2 because of poverty, and if the court, using the criteria in s. 814.29 (1) (d), determines
3 that the defendant is unable to pay the judgment because of poverty, the court may
4 not suspend the defendant's operating privilege without first providing the
5 defendant with an opportunity to pay the judgment in installments, taking into
6 account the defendant's income. Suspension under this paragraph shall not affect
7 the power of the court to suspend or revoke under s. 343.30 or the power of the
8 secretary to suspend or revoke the operating privilege. This paragraph does not
9 apply if the judgment was entered solely for violation of an ordinance unrelated to
10 the violator's operation of a motor vehicle.

11 **SECTION 2.** 800.095 (1) (a) (intro.), 3. and 4. of the statutes are amended to read:

12 800.095 (1) (a) (intro.) Suspension of the defendant's operating privilege until
13 the defendant pays the judgment, but not to exceed ~~2 years~~ one year. If the court
14 orders suspension under this paragraph, all of the following apply:

15 3. If the judgment remains unpaid at the end of the ~~2-year~~ one-year
16 suspension, the court may not order a further suspension of operating privileges in
17 relation to the outstanding judgment.

18 4. Serving the complete ~~2-year~~ one-year suspension of the defendant's
19 operating privilege does not relieve the defendant of the responsibility to pay the
20 judgment.

21 (END)