

No. 506, A.]

[Published June 15, 1951.

CHAPTER 352.

AN ACT to repeal 61.62 and to create 66.114 of the statutes, relating to bail under municipal ordinances.

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

SECTION 1. 61.62 of the statutes is repealed.

SECTION 2. 66.114 of the statutes is created to read:

66.114 (1) When any person is arrested for the violation of a city or village ordinance the chief of police or police officer designated by him, marshal, justice of the peace or clerk of court may accept from such person a bond, in an amount not to exceed the maximum penalty for such violation, with sufficient sureties, or his own personal bond upon depositing the amount thereof in money, for his appearance in the court having jurisdiction of such offense. A receipt shall be issued therefor.

(2) (a) In case the person so arrested and released shall fail to appear, personally or by an authorized attorney or agent, before said court at the time fixed for hearing of the case, then the bond and money deposited, or such portion thereof as the court may determine to be an adequate penalty, plus the costs, may be declared forfeited by the court or may be ordered applied upon the payment of any penalty which may be imposed after an ex-parte hearing together with the costs. In either event, the surplus, if any there be, shall be refunded to the person who made such deposit.

(b) The provisions of this subsection shall not apply to violations of parking ordinances. Bond or bail given for appearance to answer a charge under any such ordinance may be forfeited in the manner determined by the governing body.

(3) This section shall not be construed as a limitation upon the general power of cities and villages in all cases of alleged violations of city or village ordinances to authorize the acceptance of bonds or cash deposits or upon the general power to accept stipulations for forfeiture of bonds or deposits or pleas where arrest was had without warrant or where action has not been started in court.

Approved June 8, 1951.
