



State of Wisconsin
2001 - 2002 LEGISLATURE

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**SENATE AMENDMENT 4,
TO 2001 SENATE BILL 47**

October 23, 2001 – Offered by Senator S. FITZGERALD.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: after “violations” insert “, requiring the imposition of fees and
3 assessments in the disposition of actions for safety belt use violations,”.

4 **2.** Page 2, line 1: delete lines 1 to 11 and substitute:

5 “**SECTION 1e.** 165.755 (1) (b) of the statutes is amended to read:

6 165.755 (1) (b) A court may not impose the crime laboratories and drug law
7 enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar)
8 or (bm) or (5) (b) or for a violation of a state law or municipal or county ordinance
9 involving a nonmoving traffic violation ~~or a safety belt use violation under s. 347.48~~
10 ~~(2m)~~.

11 **SECTION 1j.** 302.46 (1) (a) of the statutes is amended to read:

12 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture
13 for a violation of state law or for a violation of a municipal or county ordinance except

1 for a violation of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) or state laws or municipal
2 or county ordinances involving nonmoving traffic violations ~~or safety belt use~~
3 ~~violations under s. 347.48 (2m)~~, the court, in addition, shall impose a jail assessment
4 in an amount of 1% of the fine or forfeiture imposed or \$10, whichever is greater. If
5 multiple offenses are involved, the court shall determine the jail assessment on the
6 basis of each fine or forfeiture. If a fine or forfeiture is suspended in whole or in part,
7 the court shall reduce the jail assessment in proportion to the suspension.”.

8 **3.** Page 2, line 17: delete the material beginning with that line and ending with
9 page 3, line 4, and substitute:

10 “**SECTION 3m.** 757.05 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
11 16, section 3774, is amended to read:

12 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
13 state law or for a violation of a municipal or county ordinance except for a violation
14 of s. 101.123 (2) (a), (am) 1., (ar), or (bm) or (5) or state laws or municipal or county
15 ordinances involving nonmoving traffic violations ~~or safety belt use violations under~~
16 ~~s. 347.48 (2m)~~, there shall be imposed in addition a penalty assessment in an amount
17 of 24% of the fine or forfeiture imposed. If multiple offenses are involved, the penalty
18 assessment shall be based upon the total fine or forfeiture for all offenses. When a
19 fine or forfeiture is suspended in whole or in part, the penalty assessment shall be
20 reduced in proportion to the suspension.

21 **SECTION 3p.** 814.63 (1) (c) of the statutes is amended to read:

22 814.63 (1) (c) This subsection does not apply to an action for a violation of s.
23 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) ~~or a safety belt use violation under s. 347.48~~
24 ~~(2m)~~.

1 **SECTION 3r.** 814.63 (2) of the statutes is amended to read:

2 814.63 (2) Upon the disposition of a forfeiture action in circuit court for
3 violation of a county, town, city, village, town sanitary district or public inland lake
4 protection and rehabilitation district ordinance, ~~except an action for a safety belt use~~
5 ~~violation under s. 347.48 (2m)~~, the county, town, city, village, town sanitary district
6 or public inland lake protection and rehabilitation district shall pay a nonrefundable
7 fee of \$5 to the clerk of circuit court.

8 **SECTION 3s.** 814.634 (1) (a) of the statutes is amended to read:

9 814.634 (1) (a) ~~Except for an action for a safety belt use violation under s.~~
10 ~~347.48 (2m), the~~ The clerk of circuit court shall charge and collect a \$40 court support
11 services fee from any person, including any governmental unit as defined in s. 108.02
12 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am) or 814.63 (1).

13 **SECTION 3t.** 814.635 (1) of the statutes is amended to read:

14 814.635 (1) ~~Except for an action for a safety belt use violation under s. 347.48~~
15 ~~(2m), the~~ The clerk of circuit court shall charge and collect a \$9 justice information
16 system fee from any person, including any governmental unit as defined in s. 108.02
17 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b)
18 or 814.63 (1). The justice information system fee is in addition to the other fees listed
19 in this section.

20 **SECTION 3v.** 814.65 (1) of the statutes is amended to read:

21 814.65 (1) COURT COSTS. In a municipal court action, ~~except an action for~~
22 ~~violation of an ordinance in conformity with s. 347.48 (2m)~~, the municipal judge shall
23 collect a fee of not less than \$15 nor more than \$23 on each separate matter, whether
24 it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant
25 or summons or the action is tried as a contested matter. Of each fee received by the

1 judge under this subsection, the municipal treasurer shall pay monthly \$5 to the
2 state treasurer for deposit in the general fund and shall retain the balance for the
3 use of the municipality.”.

4 **4.** Page 3, line 6: delete “The treatment of section 347.50 (2m) (a) of the
5 statutes” and substitute “this act”.

6 **5.** Page 3, line 9: delete lines 9 and 12.

7 (END)