



**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 67**

September 12, 2013 – Offered by Representative J. OTT.

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

2 **1.** Page 2, line 17: after “not guilty.” insert “A person who fails to appear, in
3 person, in court is subject to arrest and to a \$300 surcharge pursuant to subd. 3.”.

4 **2.** Page 2, line 17: after that line insert:

5 “SECTION 2m. 66.0114 (1) (b) 3. of the statutes is created to read:

6 66.0114 (1) (b) 3. If a person who is required under subd. 2. to appear, in person,
7 in court to enter a plea fails to appear in court, the court shall do all of the following:

8 a. Enter a default judgment against the person and impose the applicable
9 penalties, except that the court shall withhold imposing a forfeiture for the violation
10 until the person appears, in person, before the court.

11 b. Issue a warrant for the person’s arrest so that the person may appear before
12 the court in order for the court to impose a forfeiture for the violation.

1 c. Impose a \$300 surcharge on the person for his or her failure to appear. The
2 surcharge may be retained by the municipal court to offset the costs of holding a
3 hearing to impose the forfeiture.”.

4 **3.** Page 3, line 6: after “the court.” insert “The ordinance shall specify that a
5 person who fails to appear in person before the court is subject to arrest and to a \$300
6 surcharge pursuant to par. (am).”.

7 **4.** Page 3, line 6: after that line insert:

8 “**SECTION 4m.** 800.035 (5) (am) of the statutes is created to read:

9 800.035 (5) (am) If a person who is required under par. (a) to appear in person
10 before the court to enter a plea fails to appear in court, the court shall do all of the
11 following:

12 1. Enter a default judgment against the person and impose the applicable
13 penalties, except that the court shall withhold imposing a forfeiture for the violation
14 until the person appears in person before the court.

15 2. Issue a warrant for the person’s arrest so that the person may appear before
16 the court in order for the court to impose a forfeiture for the violation.

17 3. Impose a \$300 surcharge on the person for his or her failure to appear. The
18 surcharge may be retained by the municipal court to offset the costs of holding a
19 hearing to impose the forfeiture.”.

20 **5.** Page 3, line 8: after “COURT.” insert “(a)”.

21 **6.** Page 3, line 11: after “charge.” insert “A person who fails to appear in person
22 in court is subject to arrest and to a \$300 surcharge pursuant to par. (b).”.

23 **7.** Page 3, line 11: after that line insert:

1 “(b) If a person who is required under par. (a) to appear in person in court to
2 enter a plea fails to appear in court, the court shall do all of the following:

3 1. Enter a default judgment against the person and impose the applicable
4 penalties, except that the court shall withhold imposing a forfeiture for the violation
5 until the person appears in person before the court.

6 2. Issue a warrant for the person’s arrest so that the person may appear before
7 the court in order for the court to impose a forfeiture for the violation.

8 3. Impose a \$300 surcharge on the person for his or her failure to appear. The
9 surcharge may be retained by the municipal court or the clerk of circuit court to offset
10 the costs of holding a hearing to impose the forfeiture.”

11 (END)