



State of Wisconsin
2015 - 2016 LEGISLATURE

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**SENATE AMENDMENT 1,
TO SENATE BILL 114**

October 27, 2015 – Offered by Senator LEMAHIEU.

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

2 **1.** Page 1, line 3: before that line insert:

3 “SECTION 1g. 814.62 (intro.) of the statutes is amended to read:

4 **814.62 Fees in garnishment, wage earner and small claims actions.**

5 (intro.) The clerk of court shall collect the fees provided in this section. Unless a
6 specific exemption is provided, a governmental unit, as defined in s. 108.02 (17), shall
7 pay fees under this section. No fee charged under sub. (3) or (4) to a petitioner seeking
8 to recover on a civil judgment issued pursuant to s. 973.20 (1r) may be collected from
9 that petitioner but shall be collected from the debtor against whom the civil
10 judgment for restitution was entered under s. 973.20 (1r). The clerk shall collect the
11 following fees:

12 **SECTION 1m.** 814.62 (1) of the statutes is renumbered 814.62 (1) (a) and
13 amended to read:

1 814.62 (1) (a) The Subject to par. (b), the fee for commencing a garnishment
2 action under ch. 812, including actions under s. 799.01 (1) (d) 2., is \$20. Of the fees
3 received by the clerk under this subsection, the county treasurer shall pay \$12.50 to
4 the secretary of administration for deposit in the general fund and shall retain the
5 balance for the use of the county. The secretary of administration shall credit \$5 of
6 the \$12.50 to the appropriation under s. 20.680 (2) (j).

7 **SECTION 1r.** 814.62 (1) (b) of the statutes is created to read:

8 814.62 (1) (b) No fee charged under par. (a) to a petitioner seeking to recover
9 on a civil judgment issued pursuant to s. 973.20 (1r) may be collected from that
10 petitioner if the amount of restitution to be recovered under that civil judgment is
11 equal to or less than the amount under s. 799.01 (1) (d), but shall instead be collected
12 from the debtor against whom the civil judgment for restitution was entered under
13 s. 973.20 (1r).”.

14 **2.** Page 2, line 6: after that line insert:

15 “**SECTION 2c.** 814.85 (1) (c) of the statutes is renumbered 814.85 (1) (c) 1. and
16 amended to read:

17 814.85 (1) (c) 1. Notwithstanding par. (a), and subject to subd. 2., the clerk of
18 circuit court shall charge and collect a \$51 court support services surcharge from any
19 person, including any governmental unit, as defined in s. 108.02 (17), paying a fee
20 under s. 814.62 (3) (a) or (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62
21 (1) or (2) if the party paying the fee seeks the recovery of money and the amount
22 claimed is equal to or less than the amount under s. 799.01 (1) (d).

23 **SECTION 2g.** 814.85 (1) (c) 2. of the statutes is created to read:

1 814.85 (1) (c) 2. No court support services surcharge charged under subd. 1. or
2 par. (a) to a petitioner seeking to recover on a civil judgment issued pursuant to s.
3 973.20 (1r) may be collected from that petitioner if the amount of restitution to be
4 recovered under that civil judgment is equal to or less than the amount under s.
5 799.01 (1) (d), but shall instead be collected from the debtor against whom the civil
6 judgment for restitution was entered under s. 973.20 (1r).

7 **SECTION 2L.** 814.86 (1) of the statutes is renumbered 814.86 (1) (a) and
8 amended to read:

9 814.86 (1) (a) Except for an action for a financial responsibility violation under
10 s. 344.62 (2), or for a violation under s. 343.51 (1m) (b) or a safety belt use violation
11 under s. 347.48 (2m), and subject to par. (b), the clerk of circuit court shall charge and
12 collect a \$21.50 justice information system surcharge from any person, including any
13 governmental unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a),
14 (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information
15 system surcharge is in addition to the surcharge listed in sub. (1m).

16 **SECTION 2p.** 814.86 (1) (b) of the statutes is created to read:

17 814.86 (1) (b) No justice information surcharge charged under par. (a) to a
18 petitioner seeking to recover on a civil judgment issued pursuant to s. 973.20 (1r)
19 may be collected from that petitioner if the amount of restitution to be recovered
20 under that civil judgment is equal to or less than the amount under s. 799.01 (1) (d),
21 but shall instead be collected from the debtor against whom the civil judgment for
22 restitution was entered under s. 973.20 (1r).

23 **SECTION 2t.** 814.86 (1m) of the statutes is renumbered 814.86 (1m) (a) and
24 amended to read:

