



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0538/P7
CMH:wlj&wlj:rs

DOA:.....Kirby, BB0093 - Crime Victim Compensation Changes

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

JUSTICE

Under current law, if a court imposes a sentence or places a person on probation following a conviction for a crime, the court must impose a crime victim and witness assistance surcharge of \$67 for each misdemeanor conviction and \$92 for each felony conviction. Then the clerk of court must allocate specified portions of the collected surcharge in a specified order to appropriations that fund services for the rights of crime victims and witnesses and fund grants for sexual assault victim services. This bill allocates the entire surcharge to fund services for the rights of crime victims and witnesses and creates a general purpose revenue appropriation to fund grants for sexual assault victim services.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 20.455 (5) (c) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 20.455 (5) (g) of the statutes is amended to read:

20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

The amounts in the schedule for purposes of ch. 950. All moneys received from any crime victim and witness assistance surcharge authorized under s. 973.045 (1) ~~that are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys received from any crime victim and witness assistance surcharge authorized under s. 973.045 or (1m),~~ and all moneys received from any delinquency victim and witness assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this appropriation account. ~~The department of justice shall transfer from this appropriation account to the appropriation account under par. (kj) the amounts in the schedule under par. (kj).~~

SECTION 3. 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (e) and amended to read:

20.455 (5) (e) ~~Crime victim and witness surcharge, sexual~~ Sexual assault victim services. ~~All moneys received from any crime victim and witness assistance surcharge authorized under s. 973.045 (1) that are allocated to this appropriation account under s. 973.045 (2m) (a),~~ The amounts in the schedule to provide grants for sexual assault victim services under s. 165.93 and to administer the grant program.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 4. 20.455 (5) (kj) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 5. 20.455 (5) (kk) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 6. 165.93 (2) (a) of the statutes is amended to read:

165.93 (2) (a) ~~Beginning on January 1, 1995, the~~ The department shall provide grants to eligible organizations from the ~~appropriation~~ appropriations under s. 20.455 (5) ~~(ge)~~ (e) and (gj) to provide services for sexual assault victims.

****NOTE: This is reconciled s. 165.93 (2) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-0538/P6 and LRB-0839/P4.

SECTION 7. 950.06 (2) of the statutes is amended to read:

950.06 (2) The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the ~~appropriation~~ appropriations under s. 20.455 (5) (k), ~~(kk)~~ and (kp) and, on a semiannual basis, from the ~~appropriations~~ appropriation under s. 20.455 (5) ~~(e)~~ and (g).

SECTION 8. 973.045 (1r) of the statutes is repealed.

SECTION 9. 973.045 (2) of the statutes is amended to read:

973.045 (2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration under s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) the amount paid to the secretary by the county treasurer under this subsection and any amount collected under sub. (4).

SECTION 10. 973.045 (2m) of the statutes is repealed.

SECTION 11. 973.045 (3) of the statutes is repealed.

(END)