State of Wisconsin
2015 – 2016 LEGISLATURE

LRB–0945/1
PJH:eev:jm

2015 BILL

AN ACT *to amend* 808.03 (1) (c) and 808.03 (1) (d) of the statutes; **relating to:** appealing a municipal court matter after review by a circuit court.

Analysis by the Legislative Reference Bureau

Under current law, a final judgment or a final order of a circuit court may generally be appealed to the court of appeals. Under current law, a judgment or order of a circuit court in a traffic forfeiture or a municipal ordinance case is considered final when it disposes of the entire matter in litigation as to one or more of the parties, and is either reduced to writing and filed with the circuit court or, after the matter is prosecuted in circuit court, recorded in a docket entry.

In *Village of McFarland v. Zetzman*, 2012 WI App 49, the court of appeals held that in a traffic forfeiture case or other municipal ordinance case, for the purpose of determining whether a matter may be appealed, the matter may be considered "prosecuted in circuit court" if the matter was initially heard in municipal court and subsequently reviewed by the circuit court.

This bill clarifies the language in current law to conform with the *Zetzman* decision.

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

SECTION 1. 808.03 (1) (c) of the statutes is amended to read:

1 808.03 **(1)** (c) Recorded in docket entries in traffic regulation cases prosecuted
2 in, or following a decision in a municipal court, appealed to, circuit court if a person
3 convicted of a violation may be ordered to pay a forfeiture.

4 **SECTION 2.** 808.03 (1) (d) of the statutes is amended to read:

5 808.03 **(1)** (d) Recorded in docket entries in municipal ordinance violation cases
6 prosecuted in, or following a decision in a municipal court, appealed to, circuit court.

7 **(END)**