

LRB – FISCAL REVIEW SECTION ANALYSIS

**SEPTEMBER 15, 2003 AGENDA
JUDICIARY & LEGISLATION COMMITTEE**

**ITEM 7, FILE 030691
Emma J. Stamps**

File #030691 is a resolution approving a revised Municipal court deposit schedule.

Background and Discussion

1. In October 1997, the State mandated a \$4 Crime Lab Assessment Fee. The Municipal Court implemented the \$4 assessment fee in early 1998. The State increased the fee from \$4 to \$5 in 1999.
2. The Municipal Court has jurisdiction over action for forfeitures for violations of city ordinances. The Court imposes, collects, and deposits fines and forfeitures for these violations on behalf of the City.
3. State statute requires the court to set the deposit schedule.
4. The judges have authority to set forfeitures through the Court deposit schedule. The schedule, however, does not become effective until approved by the Common Council.
5. File #030691 adds several new non-traffic ordinances and interim deposit amounts to the schedule, in accordance with the Milwaukee Code of Ordinance.
6. File #030691 includes a revised Municipal Court Boating and Non-Traffic deposit schedule that reflects a 40 percent increase in the Crime Lab Assessment Fee from \$5 to \$7, applicable to all municipal non-traffic and boating statute/ordinance violations. State law mandates the change.

Fiscal Impact

This file imposes no fiscal impact. All monies collected for the State penalty passes along to the State of Wisconsin.

The revenue impact of the building code forfeiture decreases, and forfeitures imposed for newly created code sections is largely dependent upon the level of enforcement by the Milwaukee Police Department, City Attorney and the Department of Neighborhood Services.

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LRB-Fiscal Review
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