



2025 ASSEMBLY BILL 87

February 28, 2025 - Introduced by Representatives SORTWELL, BRILL, DITTRICH, DUCHOW, GUNDRUM, KNODL, MURPHY, MURSAU, O'CONNOR and PENTERMAN, cosponsored by Senator FEYEN. Referred to Committee on Judiciary.

1 **AN ACT to amend** 304.078 (3) and 973.20 (10) (a) of the statutes; **relating to:**
2 restitution orders following a conviction for human trafficking and restoration
3 of the right to vote to a person barred from voting as a result of a felony
4 conviction.

Analysis by the Legislative Reference Bureau

Under current law, when a defendant is sentenced or placed on probation for a crime, the court must order the defendant to pay restitution to the victim of the crime to pay for costs incurred by the victim or the victim's estate as a result of the crime. The court may require that restitution be paid immediately, within a specified time, or in specified installments. The court may not set the time limit to be later than the end of the defendant's term of probation, parole, or extended supervision. When the defendant has completed the term, any outstanding restitution is enforceable in the same manner as a judgment in a civil action. The victim may use civil court actions to collect the restitution, including seeking a wage garnishment or an execution against the defendant's property (a court order to the sheriff to seize property, sell it, and use the money toward the outstanding restitution). Under this bill, if the defendant is sentenced or placed on probation for human trafficking, the court must require restitution be paid immediately and, if

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the defendant fails to pay immediately, the court must issue an execution against the defendant's property.

Under current law, a person convicted of treason, felony, or bribery may not vote unless the person's right to vote is restored through a pardon or through completion of the term of imprisonment, including parole or extended supervision, or probation for the crime that led to the disqualification. Under the bill, in addition to completing his or her term of imprisonment or probation for the crime, a person must have paid all fines, costs, fees, surcharges, and restitution, and have completed any court-ordered community service, imposed in connection with the crime.

For further information see the state and local 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:

1 **SECTION 1.** 304.078 (3) of the statutes is amended to read:

2 304.078 (3) If a person is disqualified from voting under s. 6.03 (1) (b), his or
3 her right to vote is restored when he or she completes the term of imprisonment or
4 probation for the crime that led to the disqualification and has paid all fines, costs,
5 fees, surcharges, and restitution, and has completed any court-ordered community
6 service, imposed in connection with the crime. The department or, ~~if the person is~~
7 ~~sentenced to a county jail or house of correction, the jailer~~ the elections commission
8 shall inform the person in writing at the time his or her right to vote is restored
9 under this subsection.

10 **SECTION 2.** 973.20 (10) (a) of the statutes is amended to read:

11 973.20 (10) (a) ~~The~~ If the defendant violated s. 940.302 (2) or 948.051, the
12 court shall require that restitution be paid immediately and, if the defendant fails,
13 the court shall issue an execution against the property of the defendant in the same
14 mode as upon a judgment entered in the circuit court in civil actions. In other
15 cases, the court may require that restitution be paid immediately, within a specified

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1 period, or in specified installments. If the defendant is placed on probation or
2 sentenced to imprisonment, the end of a specified period shall not be later than the
3 end of any period of probation, extended supervision, or parole. If the defendant is
4 sentenced to the intensive sanctions program, the end of a specified period shall not
5 be later than the end of the sentence under s. 973.032 (3) (a).

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(END)