

LANGLADE COUNTY



RESOLUTION #9-2023

INTRODUCED BY: PUBLIC SAFETY COMMITTEE

INTENT: SUPPORT LEGISLATION TO REQUIRE A PERSON CONVICTED OF HOMICIDE BY INTOXICATED USE OF A VEHICLE TO PAY CHILD SUPPORT FOR EACH CHILD OF THE VICTIM UNTIL THE CHILD TURNS 18 YEARS OF AGE (OR 19 IF STILL ENROLLED IN SCHOOL).

WHEREAS, the Committee supports 2023 Senate Bill 87 to amend Section 973.20 (8), Wis. Stats., and to create Section 973.20 (4c), Wis. Stats., relating to restitution upon conviction of vehicular homicide; and

WHEREAS, under the proposed Senate Bill, if a person is convicted of the crime of homicide by intoxicated use of a vehicle, and the victim of the homicide is a parent of a minor child, the restitution order may include the reasonable and necessary costs of maintenance for each child of the victim until the child turns 18 or until the child turns 19 if the child is still enrolled in high school; and

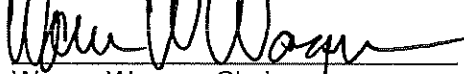
WHEREAS, under the proposed bill, when setting restitution paid to a parent or guardian of a victim's child, the court may also consider the financial needs and resources of the child and the surviving parent or guardian, the standard of living that the child is accustomed to, the child's emotional needs and physical and legal custody arrangements, and the reasonable work-related child care expenses of the surviving parent or guardian; and

WHEREAS, the proposed bill specifies that a parent or guardian of a victim's children also retains the right to file a civil suit against the defendant, and that restitution ordered to a parent or guardian of the victim's children will offset any damages awarded in the civil suit. Additionally, if the parent or guardian is awarded civil damages before restitution is ordered, the restitution order will be reduced by the amount of civil damages awarded to the parent or guardian.

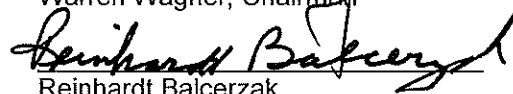
NOW THEREFORE, BE IT RESOLVED, that the Langlade County Board of Supervisors support 2023 Senate Bill 87 relating to restitution upon conviction of vehicular homicide including the reasonable and necessary costs of maintenance for each child of the victim until the child turns 18 or until the child turns 19 if the child is still enrolled in high school; and

NOW THEREFORE, BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Governor, the County's representatives in the State Legislature and the Wisconsin Counties Association.

PUBLIC SAFETY COMMITTEE:

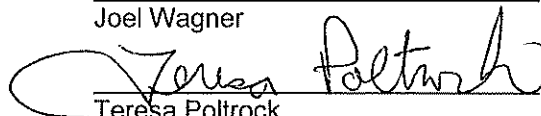


Warren Wagner, Chairman



Reinhardt Balcerzak

Joel Wagner

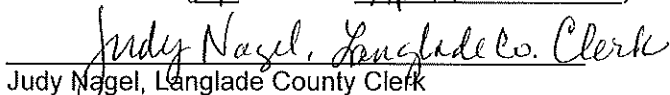


Teresa Poltrok

Brian Zaverousky

FISCAL NOTE: There is no fiscal upside to Langlade County Government; however, there is a positive fiscal impact for victims involved.

ADOPTED BY THE COUNTY BOARD OF LANGLADE COUNTY THIS 24 DAY OF April, 2023.


Judy Nagel, Langlade County Clerk

FR