



2015 SENATE BILL 726

February 11, 2016 – Introduced by Senators L. TAYLOR, BEWLEY, HARRIS DODD and WIRCH, cosponsored by Representatives YOUNG, BERCEAU, BOWEN, GOYKE, OHNSTAD, SINICKI, ZEPNICK and C. TAYLOR. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to create** 304.09 (2) (am) and 304.105 of the statutes; **relating to:**
2 creation of an independent pardon council.

Analysis by the Legislative Reference Bureau

Under current law, the governor considers all applications for pardon of any person, and the Department of Corrections must, upon the governor's request, make recommendations to the governor as to pardons. This bill creates a nine-member independent pardon council, consisting of two appeals court judges from each of the four districts appointed by the chief judge of the court of appeals and one circuit court judge appointed by the chief justice of the supreme court. Under this bill, the independent pardon council must consider each application for a pardon and make recommendations to the legislature and to the governor.

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

3 **SECTION 1.** 304.09 (2) (am) of the statutes is created to read:
4 304.09 (2) (am) The independent pardon council under s. 304.105.
5 **SECTION 2.** 304.105 of the statutes is created to read:
6 **304.105 Independent pardon council.** (1) There is created a 9-member
7 independent pardon council consisting of 2 court of appeals judges from each of the

SENATE BILL 726**SECTION 2**

1 districts specified under ss. 752.13, 752.15, 752.17, and 752.19 appointed by the chief
2 judge of the court of appeals and one circuit court judge appointed by the chief justice
3 of the supreme court. At its first meeting in each odd-numbered year the council
4 shall elect a chairperson from among its members. The council shall meet at least
5 quarterly.

6 (2) The independent pardon council shall consider each application for a
7 pardon. Three-member panels of the council members shall, using procedures the
8 council establishes, hear testimony and make a recommendation for or against
9 pardon on each application. The recommendation of the panel is the
10 recommendation of the council. The council shall report its recommendations to the
11 legislature and to the governor.

12 (3) Members of the independent pardon council may not be compensated for
13 their services, but the members shall be reimbursed from the appropriation account
14 under s. 20.525 (1) (a) for their actual and necessary expenses incurred in the
15 performance of their duties.

16 (4) Section 15.09 does not apply to the independent pardon council.

17 (END)