

State of Wisconsin



1995 Assembly Bill 367

Date of enactment: **December 1, 1995**
Date of publication*: **December 15, 1995**

1995 WISCONSIN ACT 96

AN ACT to amend 102.07 (14); and to create 304.062 and 973.10 (1m) of the statutes; relating to: community service work performed by probationers and parolees.

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

SECTION 1. 102.07 (14) of the statutes is amended to read:

102.07 (14) An adult performing uncompensated community service work under s. 304.062, 971.38, 973.03 (3), 973.05 (3) ~~or~~, 973.09 or 973.10 (1m) is an employe of the county in which the district attorney requiring or the court ordering the community service work is located or in which the place of assignment under s. 304.062 or 973.10 (1m) is located. No compensation may be paid to that employe for temporary disability during the healing period.

SECTION 2. 304.062 of the statutes is created to read:

304.062 Ordering parolees to perform community service work. (1) The department may order that a parolee perform community service work for a public agency or a nonprofit charitable organization. An order may apply only if agreed to by the parolee and the organization or agency. The department shall ensure that the parolee is provided a written statement of the terms of the community service order and shall monitor the parolee's compliance with the community service order.

(2) Any organization or agency acting in good faith to which a parolee is assigned under an order under this

section has immunity from any civil liability in excess of \$25,000 for acts or omissions by or impacting on the parolee. The department has immunity from any civil liability for acts or omissions by or impacting on the parolee regarding the assignment under this section.

SECTION 3. 973.10 (1m) of the statutes is created to read:

973.10 (1m) (a) The department may order that a probationer perform community service work for a public agency or a nonprofit charitable organization. An order may apply only if agreed to by the probationer and the organization or agency. The department shall ensure that the probationer is provided a written statement of the terms of the community service order and shall monitor the probationer's compliance with the community service order. Compliance with this subsection does not entitle a probationer to credit under s. 973.155.

(b) Any organization or agency acting in good faith to which a probationer is assigned under an order under this subsection has immunity from any civil liability in excess of \$25,000 for acts or omissions by or impacting on the probationer. The department has immunity from any civil liability for acts or omissions by or impacting on the probationer regarding the assignment under this subsection.

SECTION 4. Initial applicability.

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

(1) This act first applies to orders made on the effective date of this subsection.
