

State of Wisconsin



2017 Assembly Bill 737

Date of enactment: April 3, 2018
Date of publication*: April 4, 2018

2017 WISCONSIN ACT 188

AN ACT to amend 939.621 (1) (b) of the statutes; relating to: increased maximum terms of imprisonment for domestic abuse repeaters and providing a criminal penalty.

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

SECTION 1. 939.621 (1) (b) of the statutes is amended to read:

939.621 (1) (b) A person who, during the 10-year period immediately prior to the commission of the crime for which the person is presently being sentenced if the convictions remain of record and unreversed, was convicted, on 2 or more separate occasions, of a felony or a misdemeanor for which a court imposed a domestic abuse surcharge under s. 973.055 (1) ~~or a felony or a misdemeanor for which a court~~ waived a domestic abuse surcharge pursuant to s. 973.055 (4), ~~during the 10-year period immediately prior to the commission of the crime for which the person presently is being sentenced, if the convictions remain of record and unreversed or a felony~~

or a misdemeanor that was committed in another state but that, had it been committed in this state, would have subjected the person to a domestic abuse surcharge under s. 973.055 (1) or that is a crime of domestic abuse under the laws of that state. For the purpose of the definition under this paragraph, it is immaterial that sentence was stayed, withheld or suspended, or that the person was pardoned, unless such pardon was granted on the ground of innocence. In computing the preceding 10-year period, time that the person spent in actual confinement serving a criminal sentence shall be excluded.

SECTION 2. Initial applicability.

(1) This act first applies to crimes committed on the effective date of this subsection, but does not preclude the counting of other convictions as prior convictions for purposes of sentencing a person.

* Section 991.11, WISCONSIN STATUTES: 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."