

State of Wisconsin



2009 Senate Bill 493

Date of enactment: **May 5, 2010**
Date of publication*: **May 19, 2010**

2009 WISCONSIN ACT 248

AN ACT *to amend* 980.07 (1) of the statutes; **relating to:** appointment of an examiner for a person committed as a sexually violent person (suggested as remedial legislation by the Department of Health Services).

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

SECTION 1. 980.07 (1) of the statutes is amended to read:

980.07 (1) If a person is committed under s. 980.06 and has not been discharged under s. 980.09 (4), the department shall appoint an examiner to conduct a reexamination of the person's mental condition within 12 months after the date of the initial commitment order under s. 980.06 and again thereafter at least once each 12 months to determine whether the person has made sufficient progress for the court to consider whether the person should be placed on supervised release or discharged.

The examiner shall apply the criteria under s. 980.08 (4) (cg) when considering if the person should be placed on supervised release and shall apply the criteria under s. 980.09 (3) when considering if the person should be discharged. At the time of a reexamination under this section, the person who has been committed may retain or have the court appoint an examiner as provided under s. 980.031 (3), ~~except that the court is not required to appoint an examiner if supervised release or discharge is supported by the examination conducted by the examiner appointed by the department.~~ The county shall pay the costs of an examiner appointed by the court as provided under s. 51.20 (18) (a).

* Section 991.11, WISCONSIN STATUTES 2007-08 : 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].