



## 2015 ASSEMBLY BILL 992

March 15, 2016 – Introduced by Representatives GOYKE, BOWEN, BARNES, BROSTOFF, ZAMARRIPA, ZEPNICK, SPREITZER and CONSIDINE. Referred to Committee on Corrections.

1     **AN ACT to amend** 302.11 (7) (am), 302.113 (9) (am) and 302.113 (9) (c) of the  
2             statutes; **relating to:** sentencing credit for time served on parole or under  
3             extended supervision.

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### *Analysis by the Legislative Reference Bureau*

This bill changes the way that time remaining on a prisoner's sentence is calculated after the prisoner is returned to prison following revocation of his or her parole or extended supervision. Under this bill, if a person is returned to prison after his or her parole or extended supervision is revoked, the remainder of his or her sentence equals the length of the original sentence minus the amount of time he or she served in prison and minus the amount of time he or she served on parole or under extended supervision prior to the revocation. This bill replaces the current procedure for calculating time, under which the time remaining on a prisoner's sentence equals the length of the original sentence minus the amount of time he or she served confined in prison.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

4             **SECTION 1.** 302.11 (7) (am) of the statutes is amended to read:

**ASSEMBLY BILL 992****SECTION 1**

1           302.11 (7) (am) The reviewing authority may return a parolee released under  
2 sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the remainder  
3 of the sentence for a violation of the conditions of parole. The remainder of the  
4 sentence is the entire sentence, less time served in custody ~~prior to parole~~ and time  
5 served on parole prior to revocation. The revocation order shall provide the parolee  
6 with credit in accordance with ss. 304.072 and 973.155.

7           **SECTION 2.** 302.113 (9) (am) of the statutes is amended to read:

8           302.113 (9) (am) If a person released to extended supervision under this section  
9 violates a condition of extended supervision, the reviewing authority may revoke the  
10 extended supervision of the person. If the extended supervision of the person is  
11 revoked, the reviewing authority shall order the person to be returned to prison for  
12 any specified period of time that does not exceed the time remaining on the bifurcated  
13 sentence. The time remaining on the bifurcated sentence is the total length of the  
14 bifurcated sentence, less time served by the person in confinement under the  
15 sentence ~~before release to extended supervision under sub. (2)~~ and less all time  
16 ~~served in confinement for previous revocations of extended supervision under the~~  
17 ~~sentence~~ by the person on extended supervision under the sentence prior to  
18 revocation of extended supervision. The order returning a person to prison under  
19 this paragraph shall provide the person whose extended supervision was revoked  
20 with credit in accordance with ss. 304.072 and 973.155.

21           **SECTION 3.** 302.113 (9) (c) of the statutes is amended to read:

22           302.113 (9) (c) A person who is subsequently released to extended supervision  
23 after service of the period of time specified by the order under par. (am) is subject to  
24 all conditions and rules under sub. (7) and, if applicable, sub. (7m) until the  
25 expiration of the remaining extended supervision portion of the bifurcated sentence.

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1 The remaining extended supervision portion of the bifurcated sentence is the total  
2 length of the bifurcated sentence, less the time served by the person in confinement  
3 ~~under the bifurcated sentence before release to extended supervision under sub. (2)~~  
4 and less all time served ~~in confinement for previous revocations of extended~~  
5 ~~supervision under the bifurcated sentence~~ by the person on extended supervision  
6 under the sentence prior to revocation of extended supervision.

7 **SECTION 4. Initial applicability.**

8 (1) This act first applies to a person who is released to parole or to extended  
9 supervision on the effective date of this subsection.

10 (END)