

No. 510, S.]

[Published July 16, 1953.

CHAPTER 452

AN ACT to amend 17.11 of the statutes, relating to suspension of the district attorney and sheriff.

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

17.11 of the statutes is amended to read:

17.11 SUSPENSION OF DISTRICT ATTORNEY OR SHERIFF. (1) If any district attorney *or sheriff* is arrested for or charged with any offense against the laws of this state, or if the governor is credibly informed that any district attorney *or sheriff* is guilty of any such offense, or that proceedings are pending before any court or officer involving any criminal charge against him, or that any district attorney *or sheriff* wilfully neglects or refuses to perform his duties, the governor shall *in the case of a felony and may in the case of a misdemeanor* suspend him from office until such charge shall be investigated and finally determined * * *. *He shall, in the case of the district attorney, appoint the attorney-general or one of his assistants or some competent attorney of the state, and he shall, in the case of the sheriff, appoint a suitable person to discharge the duties of such office during such suspension.*

(2) The county in which an attorney is so temporarily appointed district attorney *or person is appointed sheriff* shall pay such appointee for his services and expense, such amount as is determined and fixed by the governor and certified by him to the county clerk of such county.

(3) Any attorney so temporarily appointed shall have all the power and discharge all the duties of the district attorney and he shall speedily bring to a hearing and deter-

mination any charges made against the district attorney so suspended. *Any person so temporarily appointed as sheriff shall have all the power and discharge all the duties of sheriff.*

(4) If it is determined in such action or proceedings or is found upon such investigation that the district attorney *or sheriff* so suspended is not guilty of any offense, or has not wilfully neglected or refused to perform his duties, as charged, and such fact is certified to the county clerk by the governor, he shall thereby become entitled to the emoluments of his office for all of the time he would have served therein had he not been suspended as herein provided, and shall be restored to office if the term for which he was elected or appointed has not expired.

(5) This section in no manner affects provisions of law relating to the removal from office of the district attorney *or sheriff*.

Approved July 7, 1953.
