

No. 913, A.]

[Published October 30, 1959.

CHAPTER 574

AN ACT to amend 946.42 (5) (b) of the statutes, relating to custody of prisoners under the Huber law in certain cases.

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

946.42 (5) (b) of the statutes is amended to read:

946.42 (5) (b) "Custody" includes without limitation actual custody of an institution or of a peace officer or institution guard and constructive custody of prisoners temporarily outside the institution whether for the purpose of work or medical care or otherwise. *Under s. 56.08(8) it means, without limitation, that of the sheriff of the county to which the prisoner was transferred after conviction.* It does not include the custody of a probationer or parolee by the state department of public welfare or a probation or parole officer unless the prisoner is in actual custody after revocation of his probation or parole or to enforce discipline or to prevent him from absconding;

Approved October 26, 1959.

---