

No. 73, A.

Published
April 26, 1963.

CHAPTER 22

AN ACT to renumber 958.06 (3); and to create 958.06 (3) (b) and (c) of the statutes, relating to the sentence and eligibility for parole where the defendant was convicted on a new trial and had served time on the original conviction.

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

SECTION 1. 958.06 (3) of the statutes is renumbered 958.06 (3) (a).

SECTION 2. 958.06 (3) (b) and (c) of the statutes are created to read:

958.06 (3) (b) If the new trial results in the conviction of the defendant, the trial court shall make allowance for and deduct from sentence imposed whatever time of imprisonment the defendant has served by reason of the acts constituting the offense with which he is charged, so that upon no account may the aggregate term exceed the maximum term provided by the statutes therefor.

(c) If a defendant is convicted following a new trial and is sentenced to a term of confinement, any time served in prison under the earlier sentence for the same offense shall be counted as time served in establishing eligibility for parole under s. 57.06 (1) (a).

Approved April 22, 1963.