

1983 Assembly Bill 241

Date of enactment: October 26, 1983
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1983 Wisconsin Act 66

AN ACT to repeal 53.12 (1); and to amend 53.11 (1), (2), (2a) and (3) (a), 53.12 (title), 56.07 (3), 56.19 (4) and 973.04 of the statutes, relating to earning good time for parole eligibility and sentence reduction purposes.

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

SECTION 1. 53.11 (1), (2), (2a) and (3) (a) of the statutes are amended to read:

53.11 (1) The warden or superintendent shall keep a record of the conduct of each inmate, specifying each infraction of the rules. Each inmate who shall conduct himself in a proper manner and perform all the acts properly and performs all required duties required of him shall be is entitled to good time or diminution of sentence according to the following table, prorated for any part of a year: ~~First year, one month; second year, 2 months; third year, 3 months; fourth year, 4 months; fifth year, 5 months; every year thereafter, 6 months~~ at a rate of one day for each 2 days the inmate serves.

(2) Any inmate who violates any regulation of the prison or refuses or neglects to perform the duties required of him or her shall be subject to forfeiture of any good time previously granted or earned under this chapter, ~~5~~ 10 days for the first offense, ~~10~~ 20 days for the second ~~2nd~~ offense and ~~20~~ 40 days for the ~~third~~ 3rd or each subsequent offense. Good time so forfeited shall not be restored. In addition, the department, or the warden or the superintendent, with the approval of the department, may cancel all or part of such good time.

(2a) A parolee, other than a parolee eligible for release under sub. (7) (a), is eligible to earn good time at the rate prescribed in this section ~~and in s. 53.12 (1)~~. The department may upon proper notice and hearing forfeit all or part of the good time previously earned under this chapter, for violation of the conditions of parole, whether or not the parole is revoked for ~~such~~ the misconduct.

(3) (a) For the purpose of computing good time earned or forfeited under this section, separate consecutive sentences shall be construed as one continuous sentence, regardless of when the convictions occurred and when the sentences were imposed, if the crimes for which those sentences were imposed occurred before the person was committed under any of the sentences. Each separate consecutive sentence imposed for a crime which is committed while the person is serving a sentence or is on parole shall be deemed a first sentence for purposes of computing good time. No more good time may be granted for any one year than is specified in sub. (1) ~~as modified by s. 53.12 (1)~~.

SECTION 2. 53.12 (title) of the statutes is amended to read:

53.12 (title) Earnings; compensation.

SECTION 3. 53.12 (1) of the statutes is repealed.

SECTION 4. 56.07 (3) of the statutes is amended to read:

56.07 (3) Each prisoner serving a sentence under s. 52.05 or s. 939.62 shall receive time credits at the rate of one day for each 6 days served. Each prisoner serving such a sentence may be transferred to a state prison upon recommendation of the superintendent and approval of the department. The county board may, pursuant to its regulations approved by the department, extend to all other prisoners similar ~~time credits~~, pecuniary earnings and rewards, subject to similar conditions and limitations, as those prescribed by s. 53.12 for prisoners in a state prison. Any inmate who violates any regulation of the camp shall forfeit from good time previously earned 5 days for the first offense, 10 days for the ~~second~~ 2nd offense and 20 days for the ~~third~~ 3rd or each subsequent offense. Good time so forfeited shall not be restored. In addition, the superintendent with the approval of the county board committee appointed under s. 28.11 may cancel all or part of such good time.

SECTION 5. 56.19 (4) of the statutes is amended to read:

56.19 (4) The county board may, pursuant to its regulations approved by the department, extend to ~~such those~~ prisoners similar ~~time credits~~, pecuniary earnings and rewards, subject to similar conditions and limitations, as those prescribed by s. 53.12 for prisoners in the Wisconsin state prisons.

SECTION 6. 973.04 of the statutes is amended to read:

973.04 Credit for imprisonment under earlier sentence for the same crime. When a sentence is vacated and a new sentence is imposed upon the defendant for the same crime, the department shall credit the defendant with confinement theretofore served and good time, if any, earned by the defendant ~~pursuant to ss. 53.11 and 53.12~~ under s. 53.11 and 53.12 while so confined.

SECTION 7. **Initial applicability.** This act first applies to crimes committed on the effective date of this act.

SECTION 8. **Effective date.** This act takes effect on the first day of the 7th month commencing after its publication.