

1989 Assembly Bill 270

Date of enactment: **December 5, 1989**
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1989 WISCONSIN ACT 85

AN ACT *to renumber* 973.15 (8); *to amend* 939.62 (1) (intro.) and 973.03 (4) (d); and *to create* 946.425, 973.03 (5) and 973.15 (8) (b) of the statutes, **relating to:** authorizing courts to impose a series of periods of imprisonment and providing penalties.

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

SECTION 1. 939.62 (1) (intro.) of the statutes is amended to read:

939.62 (1) (intro.) If the actor is a repeater, as that term is defined in sub. (2), and the present conviction is for any crime for which imprisonment may be imposed (except for an escape under s. 946.42 or a failure to report under s. 946.425) the maximum term of imprisonment prescribed by law for that crime may be increased as follows:

SECTION 2. 946.425 of the statutes is created to read:

946.425 Failure to report to jail. (1) Any person who is subject to a series of periods of imprisonment under s. 973.03 (5) (b) and who intentionally fails to report to the county jail as required under the sentence is guilty of a Class D felony.

(2) A court shall impose a sentence under this section consecutive to any sentence previously imposed or that may be imposed for any crime or offense for which the person was sentenced under s. 973.03 (5) (b).

SECTION 3. 973.03 (4) (d) of the statutes is amended to read:

973.03 (4) (d) A sentence under this subsection is not a sentence of imprisonment, except for purposes of ss. 973.04, 973.15 (8) (a) and 973.19.

SECTION 4. 973.03 (5) of the statutes is created to read:

973.03 (5) (a) In this subsection:

1. "Commission of a serious crime" has the meaning given under s. 969.08 (10) (a).

2. "Serious crime" has the meaning given under s. 969.08 (10) (b).

(b) In lieu of a continuous sentence, a court may sentence a person to serve a series of periods, not less than 48 hours nor more than 3 days for each period, of imprisonment in a county jail. The person is not subject to confinement between periods of imprisonment.

(c) A court may not sentence a person under par. (b) regarding any violation under ch. 161 or the commission of a serious crime.

SECTION 5. 973.15 (8) of the statutes is renumbered 973.15 (8) (a).

SECTION 6. 973.15 (8) (b) of the statutes is created to read:

973.15 (8) (b) If a court sentences a person under s. 973.03 (5) (b), this subsection applies only to the first period of imprisonment.