



1995 ASSEMBLY BILL 804

January 22, 1996 - Introduced by Representatives TRAVIS, GROTHMAN, OLSEN, R. YOUNG, BALDWIN and L. YOUNG, cosponsored by Senator GROBSCHMIDT. Referred to Committee on Criminal Justice and Corrections.

1 **AN ACT to amend** 973.09 (1) (a) and 973.15 (2) (a) of the statutes; **relating to:**
2 consecutive sentences.

Analysis by the Legislative Reference Bureau

Under current law, a court generally has the option of imposing a sentence for a criminal conviction to be either consecutive to or concurrent with any other sentence imposed at the same time or previously. This bill requires any court imposing a consecutive sentence to state the reasons for that choice on the record at the time of sentencing. Similarly, the bill requires a court ordering probation to be consecutive to a sentence to state the reasons for that choice on the record at the time of sentencing.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 973.09 (1) (a) of the statutes is amended to read:
4 973.09 (1) (a) Except as provided in par. (c) or if probation is prohibited for a
5 particular offense by statute, if a person is convicted of a crime, the court, by order,
6 may withhold sentence or impose sentence under s. 973.15 and stay its execution,
7 and in either case place the person on probation to the department for a stated period,
8 stating in the order the reasons therefor. The court may impose any conditions which

1 appear to be reasonable and appropriate. The period of probation may be made con-
2 secutive to a sentence on a different charge, whether imposed at the same time or
3 previously. If the court orders the period of probation to be consecutive to a sentence,
4 the court shall place its reasons for doing so on the record at the time of sentencing.
5 If the court imposes an increased term of probation, as authorized under sub. (2) (a)
6 2. or (b) 2., it shall place its reasons for doing so on the record.

7 **SECTION 2.** 973.15 (2) (a) of the statutes is amended to read:

8 973.15 (2) (a) Except as provided in par. (b), the court may impose as many sen-
9 tences as there are convictions and may provide that any such sentence be concur-
10 rent with or consecutive to any other sentence imposed at the same time or previous-
11 ly. If a court orders a sentence to be consecutive to any other sentence, the court shall
12 place its reasons for doing so on the record at the time of sentencing.

13 **SECTION 3. Initial applicability.**

14 (1) This act first applies to sentences imposed or probation ordered on the ef-
15 fective date of this subsection.

16 (END)