

1983 Assembly Bill 926

Date of enactment: May 10, 1984
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1983 Wisconsin Act 519

AN ACT *to renumber and amend 973.09 (2) (a) and 973.09 (2) (b); to amend 973.015 (2) and 973.09 (1) (a); and to create 973.09 (2) (a) 2 and 973.09 (2) (b) 2 of the statutes, relating to probation.*

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

SECTION 1. 973.015 (2) of the statutes is amended to read:

973.015 (2) A person has successfully completed the sentence if the person has not been convicted of a subsequent offense and, if on probation, ~~such~~ the probation has not been revoked and the probationer has satisfied the conditions of probation. Upon successful completion of the sentence the detaining or probationary authority shall issue a certificate of discharge which shall be forwarded to the court of record and which shall have the effect of expunging the record.

SECTION 2. 973.09 (1) (a) of the statutes is amended to read:

973.09 (1) (a) Except as provided in par. (c) or if probation is prohibited for a particular offense by statute, if a person is convicted of a crime, the court, by order, may withhold sentence or impose sentence under s. 973.15 and stay its execution, and in either case place the person on probation to the department for a stated period, stating in the order the reasons therefor. The court may impose any conditions which appear to be reasonable and appropriate. The period of probation may be made consecutive to a sentence on a different charge, whether imposed at the same time or previously. If the court imposes an increased term of probation, as authorized under sub. (2) (a) 2 or (b) 2, it shall place its reasons for doing so on the record.

SECTION 3. 973.09 (2) (a) of the statutes is renumbered 973.09 (2) (a) 1 and amended to read:

973.09 (2) (a) 1. ~~For~~ Except as provided in subd. 2, for misdemeanors, not less than 6 months, nor more than 2 years.

SECTION 4. 973.09 (2) (a) 2 of the statutes is created to read:

973.09 (2) (a) 2. If the probationer is convicted of not less than 2 nor more than 4 misdemeanors at the same time, the maximum original term of probation may be increased by one year. If the probationer is convicted of 5 or more misdemeanors at the same time, the maximum original term of probation may be increased by 2 years.

SECTION 5. 973.09 (2) (b) of the statutes is renumbered 973.09 (2) (b) 1 and amended to read:

973.09 (2) (b) 1. ~~For~~ Except as provided in subd. 2, for felonies, not less than one year nor more than either the statutory maximum term of imprisonment for the crime or 3 years, whichever is greater.

SECTION 6. 973.09 (2) (b) 2 of the statutes is created to read:

973.09 (2) (b) 2. If the probationer is convicted of 2 or more crimes, including at least one felony, at the same time, the maximum original term of probation may be increased by one year for each felony conviction.
