

State of Wisconsin



1995 Assembly Bill 167

Date of enactment: **August 16, 1995**
Date of publication*: **August 30, 1995**

1995 WISCONSIN ACT 48

AN ACT to amend 303.065 (1), 304.02 (5), 304.071 (2) and 971.11 (1); and to create 973.014 (1) (c) of the statutes; relating to: parole eligibility of persons serving life sentences.

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

SECTION 1. 303.065 (1) of the statutes is amended to read:

303.065 (1) The department may grant work release privileges to any person incarcerated within the state prisons, except that no person serving a life sentence may be considered for work release until he or she has reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever is applicable, and no person serving a life sentence under s. 939.62 (2m) or 973.014 (1) (c) may be considered for work release.

SECTION 2. 304.02 (5) of the statutes is amended to read:

304.02 (5) Notwithstanding subs. (1) to (3), a prisoner who is serving a life sentence under s. 939.62 (2m) or 973.014 (1) (c) is not eligible for release to parole supervision under this section.

SECTION 3. 304.071 (2) of the statutes is amended to read:

304.071 (2) If a prisoner is not eligible for parole under s. 161.49 (2), 939.62 (2m), 973.014 (1) (c) or 973.032 (5), he or she is not eligible for parole under this section.

SECTION 4. 971.11 (1) of the statutes is amended to read:

971.11 (1) Whenever the warden or superintendent receives notice of an untried criminal case pending in this state against an inmate of a state prison, the warden or superintendent shall, at the request of the inmate, send by certified mail a written request to the district attorney for prompt disposition of the case. The request shall state the sentence then being served, the date of parole eligibility, if applicable, the approximate discharge or conditional release date, and prior decision relating to parole. If there has been no preliminary examination on the pending case, the request shall state whether the inmate waives such examination, and, if so, shall be accompanied by a written waiver signed by the inmate.

SECTION 5. 973.014 (1) (c) of the statutes is created to read:

973.014 (1) (c) The person is not eligible for parole. This paragraph applies only if the court sentences a person for a crime committed on or after the effective date of this paragraph [revisor inserts date].

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].