



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 105
[2009 Assembly Bill 376]

**Restitution for Misappropriation
From a Cemetery**

Under current law, when a court imposes a sentence or orders probation for any crime, the court must order the defendant to make full or partial restitution to any victim of a crime considered at sentencing or, if the victim is deceased, to his or her estate, unless the court finds substantial reason not to do so and states the reason on the record.

2009 Wisconsin Act 105 provides that if misappropriation from a cemetery, of an object that indicates that a deceased was a veteran, is a crime considered at sentencing, the restitution order must require that the defendant reimburse an individual, organization, or governmental entity for the cost of replacing the object.

Effective date: Act 105 takes effect on February 19, 2010, and first applies to restitution orders made on the effective date.

Prepared by: Anne Sappenfield, Senior Staff Attorney

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AS:ksm

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.