

CHAPTER 124

AN ACT to amend 959.01 (2) and 959.055 (1) of the statutes, relating to staying jail commitment to permit payment of fine and costs.

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

SECTION 1. 959.01 (2) of the statutes is amended to read:

959.01 (2) Upon conviction the court has a duty to pronounce judgment and may adjourn the case from time to time for that purpose. In cases where s. 959.15 is applicable that section is controlling, but in all other cases the court must either impose or withhold sentence and, if the defendant is not fined or imprisoned, he must be placed on probation as provided in ch. 57. Execution of sentence may not be stayed except as provided in ch. 57 and \* \* \* ss. 958.14 and 959.055 (1).

SECTION 2. 959.055 (1) of the statutes is amended to read:

959.055 (1) When a fine is imposed, the court shall also sentence the defendant to pay the costs of the prosecution and the costs incurred by the county at his request and to be committed to the county jail until the fine and costs are paid or discharged, *except that the court may grant a reasonable time, not exceeding one stay of 30 days based on the defendant's circumstances, in which to make such payment before committing him to the county jail*; but the time of imprisonment, in addition to any other imprisonment, shall not exceed 6 months; and a property execution may issue against the defendant for said fine and costs. When the costs cannot be so collected from the defendant or when the defendant is acquitted the county shall pay the costs.

Approved June 19, 1963.

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