

1997 Assembly Bill 163

Date of enactment: **April 30, 1998**
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1997 WISCONSIN ACT 232

AN ACT to amend 809.31 (1), 969.01 (2) (b) and 969.01 (2) (e) of the statutes; relating to: release of a person convicted of a misdemeanor pending appeal.

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

SECTION 1. 809.31 (1) of the statutes is amended to read:

809.31 (1) A defendant convicted of a misdemeanor or felony who is seeking relief from a conviction and sentence of imprisonment or to the intensive sanctions program and who seeks release on bond pending a determination of a motion or appeal shall file in the trial court a motion seeking release.

SECTION 2. 969.01 (2) (b) of the statutes is amended to read:

969.01 (2) (b) In misdemeanors, release shall may be allowed upon appeal in the discretion of the trial court.

SECTION 3. 969.01 (2) (e) of the statutes is amended to read:

969.01 (2) (e) Any court or judge or any justice authorized to grant release after conviction for a misdemeanor or felony may, in addition to the powers granted in s. 969.08, revoke the order releasing a defendant.

SECTION 4. Initial applicability.

(1) This act first applies to offenses committed on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 1995-96: 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].