

State of Wisconsin



2025 Assembly Bill 939

Date of enactment:
Date of publication*:

2025 WISCONSIN ACT

AN ACT to amend 977.03 (1), 977.05 (1) and 977.05 (2) of the statutes; **relating to:** eliminating obsolete provisions regarding the term of a state public defender and the removal of the state public defender (suggested as remedial language by the State Public Defender).

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the State Public Defender and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of this bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 977.03 (1) of the statutes is amended to read:

977.03 (1) The board may remove the state public defender pursuant to the procedure under s. 977.05 (2). The board may enter into contracts with federal governmental agencies and local public defender organizations for the provision of legal services under this chapter.

NOTE: This SECTION strikes a reference to an obsolete procedure for removing a state public defender.

SECTION 2. 977.05 (1) of the statutes is amended to read:

977.05 (1) APPOINTMENT. The board shall appoint

a state public defender, who shall be a member of the State Bar of Wisconsin. The state public defender shall serve for a period of 5 years and shall continue until a successor is appointed, except that at the conclusion of the 5-year term of the state public defender in office as of July 1, 1980, the state public defender shall be appointed to serve at the pleasure of the board. He or she shall devote full time to the performance of duties as state public defender.

NOTE: This SECTION eliminates an obsolete reference to the public defender's term of office.

SECTION 3. 977.05 (2) of the statutes is amended to read:

977.05 (2) REMOVAL. During a 5-year term commencing prior to July 1, 1980, the state public defender may be discharged only for cause by the board after a public hearing. If the state public defender is serving at the pleasure of the board, he or she is subject to removal under s. 17.07.

NOTE: This SECTION eliminates an obsolete reference to the public defender's term of office.

* Section 991.11, WISCONSIN STATUTES: 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."