HOUSE BILL NO. 43

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES DAVIS, Croft

Introduced: 1/19/99
Referred: Community and Regional Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

"An Act relating to police training surcharges imposed for violations of municipal ordinances."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 12.55.039(a) is amended to read:

(a) In addition to any fine or other penalty prescribed by law, a defendant who
pleads guilty or nolo contendere to, forfeits bail for, or is convicted of a

(1) felony shall be assessed a surcharge of $100;

(2) violation of a misdemeanor offense under AS 28.33.030, 28.33.031,
AS 28.35.030, or 28.35.032, or a violation of a municipal ordinance comparable to a
misdemeanor offense under AS 28.33.030, 28.33.031, AS 28.35.030, or 28.35.032 and
adopted under AS 28.01.010, shall be assessed a surcharge of $75;

(3) misdemeanor or a violation of a municipal ordinance if a sentence
of incarceration may be imposed for the misdemeanor or ordinance violation, other
than a provision identified in (2) of this subsection, shall be assessed a surcharge of
(4) **misdemeanor for which a sentence of incarceration may not be imposed**, a violation or an infraction under state law, or [A MISDEMEANOR OR] a violation of a municipal ordinance **imposing a penalty authorized by AS 29.25.070(a)** if a sentence of incarceration may not be imposed for the [MISDEMEANOR OR] ordinance violation, shall be assessed a surcharge of $10 if the fine or bail forfeiture amount for the offense is $30 or more.

*Sec. 2.* AS 29.25.074(a) is amended to read:

(a) A municipality may not enforce **a penalty for violation of** an ordinance for which a **surcharge is required to be imposed under AS 12.55.039** [FINE OF $30 OR MORE OR IMPRISONMENT IS PRESCRIBED AS A PENALTY] unless the municipality authorizes the imposition of and provides for the collection of the surcharge [REQUIRED TO BE IMPOSED UNDER AS 12.55.039]. The surcharge shall be deposited into the general fund of the state and accounted for under AS 37.05.142. Subject to appropriation, the legislature may reimburse a municipality that collects a surcharge required to be imposed under AS 12.55.039 for the cost to the municipality in collecting the surcharge and transmitting the surcharge to the state. The reimbursement may not exceed 10 percent of the surcharge collected and transmitted to the state.