AMENDMENT #12

OFFERED IN THE HOUSE

BY REPRESENTATIVE REINBOLD

TO: HCS CSSB 54(FIN)

Page 15, line 27, through page 16, line 16:

Delete all material and insert:

"* Sec. 28. AS 12.55.125(e) is amended to read:

(e) Except as provided in (i) of this section, a defendant convicted of a class C felony may be sentenced to a definite term of imprisonment of not more than five years, and shall be sentenced to a definite term within the following presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

(1) if the offense is a first felony conviction and does not involve circumstances described in (4) of this subsection, [PROBATION, WITH A SUSPENDED TERM OF IMPRISONMENT OF] zero to two years [18 MONTHS]; a defendant sentenced under this paragraph may, if the court finds it appropriate, be granted a suspended imposition of sentence under AS 12.55.085, and the court may, as a condition of probation under AS 12.55.086, require the defendant to serve an active term of imprisonment within the range specified in this paragraph;

(2) if the offense is a second felony conviction, two [ONE] to four [THREE] years;

(3) if the offense is a third felony conviction, three [TWO] to five years;

(4) if the offense is a first felony conviction, and the defendant violated

[(A)] AS 08.54.720(a)(15), one to two years [;

(B) AS 28.35.030(n)(1)(A) OR 28.35.032(p)(1)(A), 120 DAYS TO 239 DAYS;

(C) AS 28.35.030(n)(1)(B) OR 28.35.032(p)(1)(B), 240 DAYS
TO 359 DAYS;
(D) AS 28.35.030(n)(1)(C) OR 23.35.032(p)(1)(C), 360 DAYS
TO TWO YEARS]."

Page 42, lines 3 - 4:
Delete "AS 12.55.125(e)(4)(C), 12.55.125(e)(4)(D), 12.55.125(e)(4)(E);"