



**REPRESENTATIVE CHUCK KOPP  
DISTRICT 24  
Klatt Road – Oceanview – Southport – Bayshore**

**House Bill 216  
Sectional Analysis**

**Section 1 - AS 12.55.045(m)**

Section 1 establishes that the Alaska Court System can accept restitution payments or prepayments at any time. Language that is explicitly stated in Section 2 regarding the Alaska Department of Law is removed.

**Section 2 - AS 12.55.051(f)**

Section 2 includes the process that the Alaska Court System will use to share information about restitution orders with other state agencies. It amends the current statute to allow the Office of Victims' Rights to receive and share information with the Alaska Court System consistent with all the rules of privacy as required by law.

This section also amends the notification requirement for victims by the Alaska Department of Law to include information on receiving assistance from the Office of Victims' Rights and information on how to apply for that assistance.

**Section 3 - AS 12.55.051(g)**

Section 3 requires a notification from the Department of Law to victims about their right to assistance with collecting restitution payments and it amends the period from 30 to 90 days, from the time of notification, for a victim to opt-out from receiving automatic assistance. This section allows victims to stop receiving assistance at any time in the future.

**Section 4 – AS 24.65**

Section 4 enables the Office of Victims' Rights to assist victims with restitution payments, subject to appropriation, from the Restorative Justice Account based on priority: a natural person, private businesses, and state and local governments.

It authorizes the Office of Victims' Rights to establish a process to assist victims through the Restorative Justice Account and caps the amount of funds that a victim can receive.

**Section 5 – AS 43.23.028**

Section 5 delineates the duties of the Department of Revenue to administrate the permanent fund dividend payments, regulations, timelines, and deadlines and allows cooperation with other state agencies and law enforcement. It requires the department to pay annual dividends from the dividend fund to eligible recipients. The Department of Corrections and the Department of Public Safety will provide the Department of

Revenue with a list of individuals ineligible for a dividend to transfer these funds into the Restorative Justice Account.

This section clarifies the legislative intent and lists which entities can receive appropriations from the Restorative Justice Account. It also clarifies language about public disclosures.

### **Section 6 – AS 43.23.048**

Section 6 establishes the Restorative Justice Account as a separate account in the dividend fund. It tasks the Commissioner of Revenue to transfer an amount equal to the yearly calculation of individuals ineligible to receive a permanent fund dividend made by the Commissioner of the Department of Corrections and the Commissioner of Public Safety.

This section allows the legislature to prioritize use of the funds through appropriations with services to victims as the highest priority.

The section further clarifies that a defendant ordered to pay restitution is still liable for payments regardless of whether a victim receives help from the Restorative Justice Account. The Legislature may appropriate restitution payments back into the Restorative Justice Account.

The section clarifies the bill does not create a dedicated fund.

### **Section 7 – AS 43.23.055**

Section 7 defines the process and duties of the Department of Revenue regarding the calculation, eligibility, and distribution of permanent fund dividends. The bill adds language for the department to establish regulations pertaining to the Restorative Justice Account created in Section 6.

### **Section 8 – AS 47.12.160(f)**

Section 8 authorizes the Court System to receive payments and pre-payments from a minor or a minor's parent at any time. This section removes redundant language.

### **Section 9 – AS 47.12.170(c)**

Section 9 authorizes the Alaska Court System to forward copies of restitution orders to the Office of Victims' Rights and the Department of Health and Social Services. It instructs the DHSS to inform crime victims that they may qualify for services through the Office of Victims' Rights.

Section 9 also requires that information considered confidential by law, remains confidential.

### **Section 10 47.12.170(d)**

Section 10 clarifies that the opt-out period for a victim is extended from 30 to 90 days from the day of notification and instructs the Department of Health and Social Services to notify victims of their rights to assistance.

### **Section 11**

Section 11 establishes an effective date.