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Gardner/Martin
2/19/15

CS FOR HOUSE BILL NO. 15()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE WILSON

A BILL
FOR AN ACT ENTITLED

"An Act relating to sentencing procedures; and relating to credits toward a sentence of imprisonment and to good time deductions."

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

*** Section 1.** AS 12.55.025 is amended by adding a new subsection to read:

(m) When imposing a sentence, a court shall award credit for time spent for a period of temporary commitment that was served by electronic monitoring under AS 33.30.065. If a defendant intends to claim credit under AS 12.55.027 toward a sentence for time served by electronic monitoring as a condition of bail in connection with an offense for which the defendant is being sentenced, the defendant shall file notice with the court and the prosecutor 10 days before the sentencing hearing. The notice shall include the number of days the defendant is claiming.

*** Sec. 2.** AS 12.55.027(d) is amended to read:

(d) A court shall [MAY NOT] grant credit against a sentence of imprisonment for time spent [IN A PRIVATE RESIDENCE OR] under electronic monitoring if the

1 **defendant has not committed a crime while under electronic monitoring.**

2 * Sec. 3. AS 12.55.027 is amended by adding a new subsection to read:

3 (f) A court shall grant credit against a sentence of imprisonment for time spent
4 in a treatment program as provided in this section if the defendant has not committed a
5 crime while in the treatment program.

6 * Sec. 4. AS 33.20.010(c) is amended to read:

7 (c) A prisoner **shall** [MAY NOT] be awarded a good time deduction under (a)
8 of this section for any period spent in a **residential** treatment program, [IN A
9 PRIVATE RESIDENCE,] or while under electronic monitoring **if the defendant has**
10 **met other requirements for the residential treatment program or electronic**
11 **monitoring ordered by the court and the defendant has not committed a crime**
12 **while in the residential treatment program or under electronic monitoring.**

13 * Sec. 5. The uncoded law of the State of Alaska is amended by adding a new section to
14 read:

15 APPLICABILITY. AS 12.55.025(m), added by sec. 1 of this Act, AS 12.55.027(d), as
16 amended by sec. 2 of this Act, AS 12.55.027(f), added by sec. 3 of this Act, and
17 AS 33.20.010(c), as amended by sec. 4 of this Act, apply to a sentence imposed on or after the
18 effective date of this Act for an offense committed before, on, or after the effective date of
19 this Act.