

Alaska State Legislature

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Resources Committee

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Rules Committee



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SB 91 – Summary of Changes *Version I to G*

The committee substitute incorporates necessary technical changes and clarifications identified by Legislative Legal Services, the Department of Law, the Public Defender, the Court System, and the Office of Victims' Rights. A few highlights:

1. Technical change to ensure that possession of methamphetamine precursors are not subject to the 2.5 gram threshold.
2. Technical change to ensure a defendant is entitled to only one bail review hearing due to inability to post bond.
3. Excludes sex offenders from the mandatory OR release provision.
4. Removes provisions limiting judicial discretion to impose community work as a condition of probation.
5. Establishes a maximum probation term that may be imposed under a Suspended Entry of Judgement. This change is intended to mirror a similar provision found in the Suspended Imposition of Sentence statutes.
6. Ensures that an early discharge recommendation made to the court may only be made if the person remains in compliance with the conditions of probation for a full year, and
7. Requires the Department of Corrections to notify a victim when a recommendation has been made to the court for early discharge.
8. Conforms to the ACJC presumptive range recommendation for second and third-time C felonies that was missed in the initial drafting.
9. Conforms to the ACJC sentencing recommendation to impose one month and six months of suspended time for first a second-time simple drug possession.

10. Requires the Dept. of Corrections to notify a victim at least 90 days before the prisoner's earliest parole eligibility date and provide instructions on how to request a hearing, which must be done at least 60 days before the prisoner's eligibility date.
11. Extends a victim notification provision to victims of sexual assault, departing from current law that only requires notification to a victim of domestic violence.
12. Prevents good time from being awarded to probationers serving time for violating the conditions of their probation or parole.
13. Gives new responsibilities to the Alaska Criminal Justice Commission including making reinvestment recommendations to the legislature, tracking and measuring outcomes of the reform package, and reporting to the legislature. The CS also extends the Commission's sunset date to 2021.
14. Restricts ASAP referrals to only those required by statute.