

AMENDMENT #23

OFFERED IN THE HOUSE

BY REPRESENTATIVE CLAMAN

TO: CSHB 205( ), Draft Version "H"

1 Page 46, line 25, through page 47, line 13:

2 Delete all material and insert:

3 **\*\* Sec. 78.** AS 12.55.125(e) is amended to read:

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

8 (1) if the offense is a first felony conviction and does not involve  
9 circumstances described in (4) of this subsection, **probation, with a suspended term**  
10 **of imprisonment of zero to 18 months** [TWO YEARS; A DEFENDANT  
11 SENTENCED UNDER THIS PARAGRAPH MAY, IF THE COURT FINDS IT  
12 APPROPRIATE, BE GRANTED A SUSPENDED IMPOSITION OF SENTENCE  
13 UNDER AS 12.55.085,] and the court may, as a condition of probation under  
14 AS 12.55.086, require the defendant to serve an active term of imprisonment **of not**  
15 **more than 90 days** [WITHIN THE RANGE SPECIFIED IN THIS PARAGRAPH];

16 (2) if the offense is a second felony conviction, **one to three** [TWO  
17 TO FOUR] years;

18 (3) if the offense is a third felony conviction, **two** [THREE] to five  
19 years;

20 (4) if the offense is a first felony conviction, and the defendant violated  
21 AS 08.54.720(a)(15), one to two years."