



ALASKA STATE LEGISLATURE

SENATE JUDICIARY COMMITTEE

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SENATE BILL 55

SECTIONAL SUMMARY

Omnibus Crime/Corrections

Section 1

AS 11.46.280(d) – Issuing a bad check.

Removes inadvertent inflation-adjustment of \$25,000.

Section 2

AS 11.46.285(b) – Fraudulent use of an access device.

Removes inadvertent inflation-adjustment of \$25,000.

Section 3

AS 11.46.730(c) – Defrauding creditors.

Removes inadvertent inflation-adjustment of \$25,000.

Section 4

AS 11.71.050(a) – Misconduct involving controlled substances in the fourth degree

Eliminates penalty overlap for possession of less than an ounce of a VIA controlled substance.

Section 5

AS 12.55.011(b) – Victim and community involvement in sentencing.

Clarifies that the court shall only provide the form to the victim if practicable.

Section 6

AS 12.55.015(a) – Authorized sentences; forfeiture.

Provides explicit authority to the court to suspend an entry of judgement.

Section 7

AS 12.55.078(d) – Suspended entry of judgement.

Clarifies when the court shall discharge and dismiss proceedings in a suspended entry of judgement.

Section 8

AS 12.55.078(f) – Suspended entry of judgement.

Clarifies that the crimes for which SEJ may not be used are the crimes currently charged, not prior convictions.

Section 9

AS 12.55.090(c) – Granting of probation

Clarifies that the maximum probation term for a felony sex offense is 15 years, while all other unclassified felonies have a maximum probation term of 10 years.

Section 10

AS 28.15.165(e) – Administrative revocations and disqualifications resulting from chemical sobriety tests and refusals to submit to tests.

Clarifies that the dismissal of all charges, regardless of prejudice, serves to meet the requirement of this section.

Section 11

AS 44.19.645(g) – Powers and duties of the commission

Requires the Department of Corrections to report certain data to the Alaska Criminal Justice Commission regarding earned compliance credits for parolees.

Section 12

AS 47.37.040 – Duties of the department.

Authorizes the ASAP program to accept referrals from the court for minor consuming/possession.

Section 13

AS 33.16.120(h) – Rights of certain victims in connection with parole.

Resolves a drafting error that requires the Department of Corrections to provide notifications for hearings that will not occur.

Section 14

Uncodified law - applicability

This section contains applicability provisions.

Section 15

Uncodified law - applicability

This section contains applicability provisions clarifying that no decisions made by the Board of Parole prior to January 1, 2017 that extended the period of supervision beyond the maximum release date are to be construed as invalidated by the passage of SB 91 (2016).

There is further clarification that the earned compliance credit for parolees does not apply to time served prior to January 1, 2017.

Section 16

Uncodified law - effective date

This bill takes effect immediately.