

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR HOFFMAN

TO: CSSB 54(FIN), Draft Version "N"

Page 3, line 6:

Delete "**one year** [18 MONTHS]"

Insert "18 months; **an active term of imprisonment within this range may not exceed 120 days**"

Page 8, following line 27:

Insert new bill sections to read:

"* **Sec. 13.** AS 12.55.155(a) is amended to read:

(a) Except as provided in (e) **and (j)** of this section, if a defendant is convicted of an offense and is subject to sentencing under AS 12.55.125(c), (d), (e), or (i) and

(1) the low end of the presumptive range is four years or less, the court may impose any sentence below the presumptive range for factors in mitigation or may increase the active term of imprisonment up to the maximum term of imprisonment for factors in aggravation;

(2) the low end of the presumptive range is more than four years, the court may impose a sentence below the presumptive range as long as the active term of imprisonment is not less than 50 percent of the low end of the presumptive range for factors in mitigation or may increase the active term of imprisonment up to the maximum term of imprisonment for factors in aggravation.

* **Sec. 14.** AS 12.55.155 is amended by adding a new subsection to read:

(j) If a defendant is convicted of AS 28.35.030(n) or 28.35.032(p) and is subject to sentencing under AS 12.55.125(e)(4), the court may not impose a sentence below the presumptive range for factors in mitigation and may increase the active term of imprisonment

up to the maximum term of imprisonment for factors in aggravation."

Renumber the following bill sections accordingly.

Page 15, lines 7 - 8:

Delete ", 11.66.135(b); AS 12.55.125(e)(4)(B), 12.55.125(e)(4)(C), and
12.55.125(e)(4)(D)"

Insert "and 11.66.135(b)"

Page 15, line 18:

Delete "sec. 15"

Insert "sec. 17"

Page 15, line 26:

Delete "and"

Page 15, line 27, following "Act":

Insert ";

(8) AS 12.55.155(a), as amended by sec. 13 of this Act; and

(9) AS 12.55.155(j), enacted by sec. 14 of this Act"

Page 15, line 28:

Delete "sec. 18"

Insert "sec. 20"

Page 15, line 29:

Delete "sec. 18"

Insert "sec. 20"

Page 15, line 30:

Delete "Section 17"

- 1 Insert "Section 19"
- 2
- 3 Page 15, line 31:
- 4 Delete "sec. 24"
- 5 Insert "sec. 26"