

30th Alaska State Legislature

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Senator John Coghill

SENATE BILL 54 **SECTIONAL SUMMARY** Crime and Sentencing Version N

Section 1

AS 11.56.757(a) – Violation of condition of release.

Changes the offense of violation of condition of release to a crime.

Section 2

AS 11.56.757(b) – Violation of condition of release.

Changes the offense of violation of condition of release to a crime (B-Misdemeanor).

Section 3

AS 11.66.130(a) – Sex trafficking in the third degree.

Restructures the elements of the offense of sex trafficking in the third degree, and applies the compensation provision to all of the elements of the offense.

Section 4

AS 11.66.135(a) – Sex trafficking in the fourth degree.

Establishes an additional element to the offense of sex trafficking in the fourth degree requiring a person receive compensation for prostitution services rendered by another.

Section 5

AS 11.66.150 – Definitions.

Establishes a definition for “compensation” that applies to sex trafficking in the third and fourth degrees.

Section 6

AS 12.55.125(e) – Sentences of imprisonment for felonies.

Increases the presumptive sentencing range for a class C felony that is a first felony conviction from 18 months of suspended imprisonment to up to 1 year of active imprisonment.

Section 7

AS 12.55.125(q) – Sentences of imprisonment for felonies.

Establishes mandatory minimum probation term lengths for felony sex offenders. 15 years for an unclassified felony; 10 years for a class A or B felony; and 5 years for a class C felony.

Section 8

AS 12.55.135(a) – Sentences of imprisonment for misdemeanors.

Increases the sentencing range for a class A misdemeanor from zero to 30 days to zero to 60 days if the defendant has one previous conviction for a similar offense. Additionally, increases the sentencing range for distributing an explicit image of a minor on an Internet website that is accessible to the public.

Section 9

AS 12.55.135(b) – Sentences of imprisonment for misdemeanors.

Limits the maximum sentence for violation of conditions of release may be sentenced to up to 5 days of imprisonment.

Section 10

AS 12.55.135(l) – Sentences of imprisonment for misdemeanors.

A person convicted of theft in the fourth degree (and similar offenses) may be sentenced up to 10 days of active imprisonment and up to 6 months of probation for third and subsequent convictions. A person convicted a second time may be sentenced up to 5 days of active imprisonment and up to 6 months of probation. A person convicted a first time may be sentenced up to 5 days of suspended imprisonment and up to 6 months of probation.

Section 11

AS 12.55.135(p) – Sentences of imprisonment for misdemeanors.

Creates a process for establishing the new aggravating factor for class A misdemeanors.

Section 12

AS 12.55.145(a) – Prior convictions.

Establishes a 5-year “look back” period for the purpose of considering prior convictions in imposing a sentence for a class A misdemeanor.

Section 13

AS 12.63.100(6) – Definitions.

Updates the statute reference in the definition of “sex offense” to conform to changes to sex trafficking in the third degree.

Section 14

AS 18.67.101 – Incidents and offenses to which this chapter applies.

Updates the statute reference to conform to changes to sex trafficking in the third degree.

Section 15

AS 28.15.011 – Drivers must be licensed.

Reduces the offense of No Valid Operator’s License to a violation.

Section 16

AS 29.25.070(g) – Penalties.

Specifies that limitations on municipal authority to impose punishments does not apply to non-criminal offenses.

Section 17

AS 33.07.010 – Pretrial services program; establishment.

Limits the assessment of pretrial risk to defendants brought into custody, or any defendant if requested by prosecution.

Section 18

AS 33.16.130(c) – Parole procedures.

Deletes language giving the Board of Parole explicit authority to hold discretionary parole hearings following a denial.

Section 19

AS 33.30.061 – Commissioner to designate facility.

Allows the commissioner to return a prisoner to a correctional facility if the prisoner violates the terms and conditions of home confinement.

Section 20

AS 34.03.360(10) – Definitions.

Updates a statute reference in the definition of “illegal activity involving a place of prostitution” to conform to changes to sex trafficking in the third degree.

Section 21

AS 47.37.040 – Duties of department.

Authorizes the Alcohol Safety Action Program to accept referrals from the court for misdemeanor drug possession.

Section 22

Repealed statutes

Repeals duplicative felony DUI sentencing provisions and certain sex trafficking statutes.

Section 23

Uncodified law

This section contains applicability provisions.

Section 24

Effective date

Section 17 takes effect January 1, 2018.

Section 25

Effective date

Other than section 24, this bill takes effect immediately.