

HOUSE BILL NO. 307

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HOLMES, Fairclough, Millett, Muñoz, Peggy Wilson, Dahlstrom, Tammie Wilson, Cissna, Gardner, Herron, Buch

Introduced: 1/19/10

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to sexual assault protective orders."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 22.15.100 is amended to read:

4 **Sec. 22.15.100. Functions and powers of district judge and magistrate.**

5 Each district judge and magistrate has the power

6 (1) to issue writs of habeas corpus for the purpose of inquiring into the
7 cause of restraint of liberty, returnable before a judge of the superior court, and the
8 same proceedings shall be had on the writ as if it had been granted by the superior
9 court judge under the laws of the state in such cases;

10 (2) of a notary public;

11 (3) to solemnize marriages;

12 (4) to issue warrants of arrest, summons, and search warrants
13 according to manner and procedure prescribed by law and the supreme court;

14 (5) to act as an examining judge or magistrate in preliminary
15 examinations in criminal proceedings; to set, receive, and forfeit bail and to order the

1 release of defendants under bail;

2 (6) to act as a referee in matters and actions referred to the judge or
3 magistrate by the superior court, with all powers conferred upon referees by laws;

4 (7) of the superior court in all respects including but not limited to
5 contempts, attendance of witnesses, and bench warrants;

6 (8) to order the temporary detention of a minor, or take other action
7 authorized by law or rules of procedure, in cases arising under AS 47.10 or AS 47.12,
8 when the minor is in a condition or surrounding dangerous or injurious to the welfare
9 of the minor or others that requires immediate action; the action may be continued in
10 effect until reviewed by the superior court in accordance with rules of procedure
11 governing these cases;

12 (9) to issue a protective order in cases involving

13 (A) domestic violence as provided in AS 18.66.100 -
14 18.66.180; or

15 (B) stalking or sexual assault as provided in AS 18.65.850 -
16 18.65.870;

17 (10) to review an administrative revocation of a person's driver's
18 license or nonresident privilege to drive, and an administrative refusal to issue an
19 original license, when designated as a hearing officer by the commissioner of
20 administration and with the consent of the administrative director of the state court
21 system;

22 (11) to establish the fact of death or inquire into the death of a person
23 in the manner prescribed under AS 09.55.020 - 09.55.069;

24 (12) to issue an ex parte testing, examination, or screening order
25 according to the manner and procedure prescribed by AS 18.15.375.