

Alaska State Legislature

State Capitol, Room 208
Juneau, Alaska 99801-1182
Phone: 907-465-3779
Fax: 907-465-2833
Toll Free: 800-469-3779



145 Main St. Loop
Second Floor
Kenai, Alaska 99611
Phone: 907-283-7223
Fax: 907-283-7184

REPRESENTATIVE MIKE CHENAULT SPEAKER OF THE ALASKA STATE HOUSE

SECTIONAL ANALYSIS

HOUSE BILL 221

"An act relating to the appointment of counsel for persons accused of crimes; and amending Rule 39.1, Alaska Rules of Criminal Procedure"

Section 1: Amends AS 18.85.120(b), Determination of indigency; repayment. Allows for material factors relative to the defendants financial resources and the ability to pay to be considered for Court appointed counsel.

Section 2: Amends Court Rule 39.1(e), Alaska Rules of Criminal Procedure, Determining Eligibility. Adds the word AND removes the word or. This change will allow the Court or its designee to ask about the defendant's financial status AND requiring the defendant to complete a signed sworn financial statement. Adds the phrase SUBJECT TO PENALTIES OF PERJURY.

The main purpose of House Bill 221 is to allow for the prosecution of a defendant who lies or misrepresents their financial status to gain Court appointed legal representation by committing perjury.