

CS FOR SENATE BILL NO. 110(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 2/24/14

Referred: Rules

Sponsor(s): SENATORS DYSON, French, Olson, Wielechowski, Micciche, Dunleavy, Coghill, McGuire, Gardner, Fairclough, Giessel, Egan, Meyer, Huggins, Kelly

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the authority of the victims' advocate to request a hearing for the**
2 **release to a crime victim under certain conditions of certain property in the custody of a**
3 **law enforcement agency."**

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

5 *** Section 1.** AS 12.36.070 is amended by adding a new subsection to read:

6 (f) If the agency fails to act on a request under (a) of this section within the
7 deadline set in (b) of this section, the victims' advocate may request a hearing under
8 (b) of this section. If the victims' advocate requests a hearing under this subsection, the
9 role of the victims' advocate in the hearing is limited to advocating for the return of the
10 victim's property; the victims' advocate may not participate in the case as a party or an
11 intervenor unless the court orders otherwise.

12 *** Sec. 2.** AS 24.65.115 is amended to read:

13 **Sec. 24.65.115. Authority to request return of property on behalf of**
14 **certain persons. (a) Notwithstanding another provision of this chapter, the victims'**

1 advocate may

2 (1) file a request under AS 12.36.070 with a law enforcement agency
3 for the return of property to a crime victim after having conducted an investigation and
4 determining that the crime victim is entitled to the return of the property under the
5 factors listed in AS 12.36.070(c);

6 (2) request a hearing under AS 12.36.070(f).

7 (b) In fulfilling the requirements of this section, the victims' advocate may use
8 any of the powers granted to the advocate under this chapter.