

AMENDMENT

#1

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

TO: HCS CSSB 54(JUD)

1 Page 2, lines 10 - 11:

2 Delete "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

3 Insert ", adjusted for inflation as provided in AS 11.46.982,"

4

5 Page 2, lines 23 - 24:

6 Delete "[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,]"

7 Insert ", adjusted for inflation as provided in AS 11.46.982,"

AMENDMENT #2

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

TO: HCS CSSB 54(JUD)

1 Page 2, line 3:

2 Delete "two"

3 Insert "three"

4

5 Page 2, line 29:

6 Delete "two"

7 Insert "three"

AMENDMENT

#3

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

TO: HCS CSSB 54(JUD)

- 1 Page 8, lines 3 - 7:
2 Delete all material and insert:
3 "(2) a class C felony
4 (A) under AS 11.41, AS 11.56.730, AS 28.35.030, or
5 28.35.032;
6 (B) that is a sex offense; in this subparagraph, "sex offense"
7 has the meaning given in AS 12.63.100; or
8 (C) that is a crime involving domestic violence; in this
9 subparagraph, "crime involving domestic violence" has the meaning given
10 in AS 18.66.990;"

AMENDMENT #4

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

TO: HCS CSSB 54(JUD)

- 1 Page 8, line 3, following "11.41.425,"
- 2 Insert "11.41.438,"

AMENDMENT #5

OFFERED IN THE HOUSE

BY REPRESENTATIVE GARA

TO: HCS CSSB 54(JUD)

1 Page 10, line 24, following "(B)":

2 Insert "AS 11.41.438, zero to 18 months;

3 (C)"

4

5 Page 10, line 26:

6 Delete "(C)"

7 Insert "(D) [(C)]"

8

9 Page 10, line 28:

10 Delete "(D)"

11 Insert "(E) [(D)]"

AMENDMENT #6

OFFERED IN THE HOUSE

BY REPRESENTATIVE PRUITT

TO: HCS CSSB 54(JUD)

1 Page 12, line 31:

2 Delete "or"

3

4 Page 12, following line 31:

5 Insert a new paragraph to read:

6 "(3) a sentence of more than five days of active imprisonment and
7 a term of probation of more than six months if the person has

8 (A) not been previously convicted of an offense under
9 AS 11.46.110 - 11.46.220, 11.46.260 - 11.46.290, 11.46.360, or 11.46.365, or
10 a law or ordinance of this or another jurisdiction with substantially
11 similar elements; and

12 (B) been previously convicted of an offense under
13 AS 11.71.010 - 11.71.060, or a law or ordinance of this or another
14 jurisdiction with substantially similar elements; or"

15

16 Renumber the following paragraph accordingly.

AMENDMENT #7

OFFERED IN THE HOUSE
TO: HCS CSSB 54(JUD)

BY REPRESENTATIVE SEATON
Rep Ortiz

- 1 Page 13, lines 6 - 9:
- 2 Delete all material.
- 3
- 4 Renumber the following bill sections accordingly.
- 5
- 6 Page 32, line 29:
- 7 Delete "sec. 25"
- 8 Insert "sec. 24"
- 9
- 10 Page 33, line 8:
- 11 Delete all material.
- 12
- 13 Renumber the following paragraphs accordingly.
- 14
- 15 Page 33, line 9:
- 16 Delete "sec. 21"
- 17 Insert "sec. 20"
- 18
- 19 Page 33, line 10:
- 20 Delete "sec. 22"
- 21 Insert "sec. 21"
- 22
- 23 Page 33, line 11:

1 Delete "sec. 34"

2 Insert "sec. 33"

3

4 Page 33, line 12:

5 Delete "sec. 34"

6 Insert "sec. 33"

7

8 Page 33, line 13:

9 Delete "26"

10 Insert "25"

11

12 Page 33, line 14:

13 Delete "sec. 50"

14 Insert "sec. 49"

AMENDMENT

#8

Rep. Kawasaki

OFFERED IN THE HOUSE

TO: HCS CSSB 54(JUD)

1 Page 1, line 6, following "program;":

2 Insert "relating to the Alaska Criminal Justice Commission; relating to the Alaska
3 Judicial Council;"

4
5 Page 18, following line 9:

6 Insert a new bill section to read:

7 "* Sec. 25. AS 22.20 is amended by adding a new section to article 4 to read:

8 **Sec. 22.20.220. Prison inmate characteristics information.** (a) The judicial
9 council shall design and implement a project for the purposes of studying risk factors
10 related to criminal activity, informing the legislature's policy and funding decisions
11 related to primary crime prevention, and improving primary crime prevention
12 strategies in the state. Under the project, the judicial council shall obtain from the
13 Department of Corrections information about offenders sentenced to serve terms of
14 incarceration of 30 days or more, analyze the information, and provide to the
15 legislature the judicial council's conclusions and recommendations in the report
16 required under (b) of this section. The judicial council shall, in consultation with the
17 Justice Center at the University of Alaska, the Department of Corrections, and other
18 relevant entities or state agencies, create a list of the types of information and inmate
19 characteristics to be obtained for the project and may revise the list when necessary to
20 meet project goals. The information may include data relating to adverse childhood
21 experiences, mental health and substance abuse history, education, income, and
22 employment of inmates. The Department of Corrections shall adopt regulations
23 establishing procedures for collecting the information identified in the list required

1 under this subsection and providing the information to the judicial council. The
 2 procedures may provide for the collection of the information as part of the risk
 3 assessment program established under AS 33.30.011(a)(7). In this subsection,
 4 "primary crime prevention" means intervention programs and strategies designed to
 5 reduce crime risk factors among the general population and prevent crime from
 6 happening.

7 (b) The judicial council shall prepare an annual report summarizing the
 8 information collected and analyzed under (a) of this section. The judicial council shall

9 (1) provide a summary in the form of tables, charts, graphs, or other
 10 formats that are easily understood;

11 (2) include a review of the data and the judicial council's
 12 interpretations, findings, and conclusions related to the information collected;

13 (3) describe any changes in the types of information collected during
 14 the preceding fiscal year;

15 (4) make the report required under this subsection available to the
 16 public; the judicial council may not publish or present individually identifiable
 17 information relating to an inmate;

18 (5) include, when possible, information from the previous fiscal year,
 19 comparisons to previous fiscal years, and cumulative information;

20 (6) not later than November 1 of each year, submit the report to the
 21 senate secretary and the chief clerk of the house of representatives and notify the
 22 legislature that the report is available; and

23 (7) present the summary and analysis to the legislature within 10 days
 24 after the convening of the next regular session of the legislature following the
 25 submission of the report.

26 (c) The project described under this section terminates November 1, 2025."
 27

28 Renumber the following bill sections accordingly.

29
 30 Page 29, following line 5:

31 Insert new bill sections to read:

1 **** Sec. 48.** AS 44.19.645 is amended by adding a new subsection to read:

2 (h) Beginning in the fiscal year ending June 30, 2019, the commission shall
3 design and implement a project for the purposes of studying risk factors related to
4 criminal activity, informing the legislature's policy and funding decisions related to
5 primary crime prevention, and improving primary crime prevention strategies in the
6 state. Under the project, the commission shall obtain from the Department of
7 Corrections information about offenders sentenced to serve terms of incarceration of
8 30 days or more, analyze the information, and provide to the legislature, in the report
9 required under AS 44.19.647, the commission's conclusions and recommendations.
10 The commission, in consultation with the Justice Center at the University of Alaska,
11 the Alaska Judicial Council, the Department of Corrections, and other relevant entities
12 or state agencies, create a list of the types of information and inmate characteristics to
13 be obtained for the project and may revise the list when necessary to meet project
14 goals. The information may include data relating to adverse childhood experiences,
15 mental health and substance abuse history, education, income, and employment of
16 inmates. The Department of Corrections shall adopt regulations establishing
17 procedures for collecting the information identified in the list required under this
18 subsection and providing the information to the commission. The procedures may
19 provide for the collection of the information as part of the risk assessment program
20 established under AS 33.30.011(a)(7). In this subsection, "primary crime prevention"
21 means intervention programs and strategies designed to reduce crime risk factors
22 among the general population and prevent crime from happening.

23 *** Sec. 49.** AS 44.19.647(b) is amended to read:

24 (b) The commission shall submit the reports, summaries, and
25 recommendations provided under [(a) OF] this section not later than November 1 of
26 each year.

27 *** Sec. 50.** AS 44.19.647 is amended by adding a new subsection to read:

28 (c) In the report required under (a) of this section, the commission shall
29 include a summary and analysis of the information collected under AS 44.19.645(h).
30 The commission shall

31 (1) provide a summary in the form of tables, charts, graphs, or other

formats that are easily understood;

(2) include a review of the data and the commission's interpretations, findings, or conclusions related to the information collected;

(3) describe any changes in the types of information collected during the preceding fiscal year;

(4) make the summary and analysis required under this subsection available to the public; the commission may not publish or present individually identifiable information relating to an inmate;

(5) include, when possible, information from the previous fiscal year, comparisons to previous fiscal years, and cumulative information; and

(6) present the summary and analysis to the legislature within 10 days after the convening of the next regular session of the legislature following the submission of the report."

Renumber the following bill sections accordingly.

Page 32, following line 16:

Insert new bill sections to read:

"* **Sec. 53.** AS 44.19.645(h) and 44.19.647(c) are repealed.

* **Sec. 54.** AS 22.20.220 is repealed November 1, 2025."

Page 32, line 29:

Delete "sec. 25"

Insert "sec. 26"

Page 33, line 11:

Delete "sec. 34"

Insert "sec. 35"

Page 33, line 12:

Delete "sec. 34"

1 Insert "sec. 35"

2

3 Page 33, following line 12:

4 Insert a new bill section to read:

5 **"* Sec. 56.** The uncoded law of the State of Alaska is amended by adding a new section to
6 read:

7 **CONDITIONAL EFFECT.** (a) AS 22.20.220, added by sec. 25 of this Act, takes
8 effect only if the Alaska Criminal Justice Commission expires under AS 44.66.010 before
9 November 1, 2025.

10 (b) Section 54 of this Act takes effect only if sec. 25 of this Act takes effect under (a)
11 of this section."

12

13 Renumber the following bill sections accordingly.

14

15 Page 33, line 13:

16 Delete "26"

17 Insert "27"

18

19 Page 33, following line 13:

20 Insert new bill sections to read:

21 **"* Sec. 58.** If sec. 25 of this Act takes effect under sec. 56(a) of this Act, it takes effect on
22 the day after the date the Alaska Criminal Justice Commission expires under AS 44.66.010.

23 *** Sec. 59.** If sec. 54 of this Act takes effect under sec. 56(b) of this Act, it takes effect
24 November 1, 2025.

25 *** Sec. 60.** Section 53 of this Act takes effect on the earlier of the following:

26 (1) the date sec. 25 if this Act takes effect under sec. 58 of this Act; or

27 (2) November 1, 2025."

28

29 Renumber the following bill section accordingly.

30

31 Page 33, line 14:

- 1 Delete "sec. 50"
- 2 Insert "secs. 57 - 60"

AMENDMENT #9

OFFERED IN THE HOUSE

BY REPRESENTATIVE KAWASAKI

TO: HCS CSSB 54(JUD)

1 Page 1, line 5, following "license;":

2 Insert "establishing a maximum caseload for probation and parole officers;"

3
4 Page 18, following line 11:

5 Insert a new bill section to read:

6 "* Sec. 26. AS 33.05.040 is amended by adding a new subsection to read:

7 (b) The caseload of a probation officer supervising probationers or the
8 combined caseload of a probation officer or parole officer supervising probationers
9 and persons on parole as provided for in (a)(5) of this section may not exceed 75
10 persons, except in temporary or extraordinary circumstances approved by the
11 commissioner."
12

13 Renumber the following bill sections accordingly.

14
15 Page 33, line 11:

16 Delete "sec. 34"

17 Insert "sec. 35"

18
19 Page 33, line 12:

20 Delete "sec. 34"

21 Insert "sec. 35"

22
23 Page 33, line 13:

1 Delete "26"

2 Insert "27"

3

4 Page 33, following line 13:

5 Insert a new bill section to read:

6 **"* Sec. 52. Section 26 of this Act takes effect July 1, 2019."**

7

8 Renumber the following bill section accordingly.

9

10 Page 33, line 14:

11 Delete "sec. 50"

12 Insert "secs. 51 and 52"

AMENDMENT

#10

OFFERED IN THE HOUSE

BY REPRESENTATIVE PRUITT

TO: HCS CSSB 54(JUD)

1 Page 1, line 5, following "license;":

2 Insert "relating to driving while license canceled, suspended, or revoked;"

3

4 Page 18, following line 11:

5 Insert new bill sections to read:

6 "* Sec. 26. AS 28.15.291(a) is repealed and reenacted to read:

7 (a) A person is guilty of a class A misdemeanor if the person

8 (1) drives a motor vehicle on a highway or vehicular way or area at a
9 time when that person's driver's license, privilege to drive, or privilege to obtain a
10 license has been canceled, suspended, or revoked in this or another jurisdiction; or

11 (2) drives in violation of a limitation placed on that person's license or
12 privilege to drive in this or another jurisdiction.

13 * Sec. 27. AS 28.15.291(b) is repealed and reenacted to read:

14 (b) Upon conviction under (a) of this section, the court

15 (1) shall impose a minimum sentence of imprisonment

16 (A) if the person has not been previously convicted, of not less
17 than 10 days with 10 days suspended, including a mandatory condition of
18 probation that the defendant complete not less than 80 hours of community
19 work service;

20 (B) if the person has been previously convicted, of not less than
21 10 days;

22 (C) if the person's driver's license, privilege to drive, or
23 privilege to obtain a license was revoked under circumstances described in

AS 28.15.181(c)(1), if the person was driving in violation of a limited license issued under AS 28.15.201(d) following that revocation, or if the person was driving in violation of an ignition interlock device requirement following that revocation, of not less than 20 days with 10 days suspended, and a fine of not less than \$500, including a mandatory condition of probation that the defendant complete not less than 80 hours of community work service;

(D) if the person's driver's license, privilege to drive, or privilege to obtain a license was revoked under circumstances described in AS 28.15.181(c)(2), (3), or (4), if the person was driving in violation of a limited license issued under AS 28.15.201(d) following that revocation, or if the person was driving in violation of an ignition interlock device requirement following that revocation, of not less than 30 days and a fine of not less than \$1,000;

(2) may impose additional conditions of probation;

(3) may not

(A) suspend execution of sentence or grant probation except on condition that the person serve a minimum term of imprisonment and perform required community work service as provided in (1) of this subsection;

(B) suspend imposition of sentence;

(4) shall revoke the person's license, privilege to drive, or privilege to obtain a license, and the person may not be issued a new license or a limited license nor may the privilege to drive or obtain a license be restored for an additional period of not less than 90 days after the date that the person would have been entitled to restoration of driving privileges; and

(5) may order that the motor vehicle that was used in commission of the offense be forfeited under AS 28.35.036."

Renumber the following bill sections accordingly.

Page 32, line 28:

Delete "and"

1

2 Page 32, line 29, following "Act":

3 Insert ";

4 (10) AS 28.15.291(a), as repealed and reenacted by sec. 26 of this Act; and

5 (11) AS 28.15.291(b), as repealed and reenacted by sec. 27 of this Act"

6

7 Page 33, line 11:

8 Delete "sec. 34"

9 Insert "sec. 36"

10

11 Page 33, line 12:

12 Delete "sec. 34"

13 Insert "sec. 36"

14

15 Page 33, line 13:

16 Delete "Sections 10, 11, and 26"

17 Insert "Sections 10, 11, and 28"

18

19 Page 33, line 14:

20 Delete "sec. 50"

21 Insert "sec. 52"

AMENDMENT #11

OFFERED IN THE HOUSE

BY REPRESENTATIVE PRUITT

TO: HCS CSSB 54(JUD)

1 Page 9, following line 15:

2 Insert a new bill section to read:

3 "* Sec. 13. AS 12.55.090(g) is amended to read:

4 (g) A probation officer shall recommend to the court that probation be
5 terminated and a defendant be discharged from probation if the defendant

6 (1) has completed at least

7 (A) two years on probation if the person was convicted of a
8 class A or class B felony that is not a crime under (5) of this subsection; or

9 (B) one year on probation if the person was convicted of a
10 crime that is not a crime

11 (i) under (A) of this paragraph; or

12 (ii) under (5) of this subsection;

13 (2) has completed all treatment programs required as a condition of
14 probation;

15 (3) has not been found in violation of conditions of probation by the
16 court for the period specified in (1) of this subsection;

17 (4) is currently in compliance with all conditions of probation for all of
18 the cases for which the person is on probation; and

19 (5) has not been convicted of an unclassified felony offense [, A
20 SEXUAL FELONY AS DEFINED IN AS 12.55.185, OR A CRIME INVOLVING
21 DOMESTIC VIOLENCE AS DEFINED IN AS 18.66.990]."

22
23 Renumber the following bill sections accordingly.

1

2 Page 32, line 16, following "33.16.089,":

3 Insert "33.16.210(c)(4)(B), 33.16.210(c)(4)(C),"

4

5 Page 32, line 29:

6 Delete "sec. 25"

7 Insert "sec. 26"

8

9 Page 33, line 2:

10 Delete "sec. 14"

11 Insert "sec. 15"

12

13 Page 33, line 3:

14 Delete "sec. 15"

15 Insert "sec. 16"

16

17 Page 33, line 4:

18 Delete "sec. 16"

19 Insert "sec. 17"

20

21 Page 33, line 5:

22 Delete "sec. 17"

23 Insert "sec. 18"

24

25 Page 33, line 6:

26 Delete "sec. 18"

27 Insert "sec. 19"

28

29 Page 33, line 7:

30 Delete "sec. 19"

31 Insert "sec. 20"

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Page 33, line 8:

- Delete "sec. 20"
- Insert "sec. 21"

Page 33, line 9:

- Delete "sec. 21"
- Insert "sec. 22"

Page 33, line 10:

- Delete "sec. 22"
- Insert "sec. 23"

Page 33, following line 10:

- Insert a new subsection to read:
"(c) AS 12.55.090(g), as amended by sec. 13 of this Act, applies to probation ordered before, on, or after the effective date of sec. 13 of this Act, for offenses committed before, on, or after the effective date of sec. 13 of this Act."

Reletter the following subsection accordingly.

Page 33, line 11:

- Delete "sec. 34"
- Insert "sec. 35"

Page 33, line 12:

- Delete "sec. 34"
- Insert "sec. 35"

Page 33, line 13:

- Delete "26"

1 Insert "27"

2

3 Page 33, line 14:

4 Delete "sec. 50"

5 Insert "sec. 51"

AMENDMENT #12

OFFERED IN THE HOUSE

BY REPRESENTATIVE PRUITT

TO: HCS CSSB 54(JUD)

1 Page 18, following line 11:

2 Insert new bill sections to read:

3 **"* Sec. 26. AS 33.05.020(h) is amended to read:**

4 (h) The commissioner shall establish by regulation a program allowing
5 probationers **who have not been convicted of a sex offense or a crime involving**
6 **domestic violence** to earn credits for complying with the conditions of probation. The
7 credits earned reduce the period of probation. Nothing in this subsection prohibits the
8 department from recommending to the court the early discharge of the probationer as
9 provided in AS 33.30. At a minimum, the regulations must

10 (1) require that a probationer earn a credit of 30 days for each 30-day
11 period served in which the defendant complied with the conditions of probation;

12 (2) include policies and procedures for

13 (A) calculating and tracking credits earned by probationers;

14 (B) reducing the probationer's period of probation based on
15 credits earned by the probationer; and

16 (C) notifying a victim under AS 33.30.013.

17 *** Sec. 27. AS 33.05.020 is amended by adding a new subsection to read:**

18 (i) In this section,

19 (1) "crime involving domestic violence" has the meaning given in
20 AS 18.66.990;

21 (2) "sex offense" has the meaning given in AS 12.63.100."
22

23 Renumber the following bill sections accordingly.

Page 27, following line 15:

Insert new bill sections to read:

*** Sec. 46.** AS 33.16.270 is amended to read:

Sec. 33.16.270. Earned compliance credits. The commissioner shall establish by regulation a program allowing parolees who have not been convicted of a sex offense or a crime involving domestic violence to earn credits for complying with the conditions of parole. The earned compliance credits reduce the period of parole. Nothing in this section prohibits the department from recommending to the board the early discharge of the parolee as provided in this chapter. At a minimum, the regulations must

(1) require that a parolee earn a credit of 30 days for each 30-day period served in which the parolee complied with the conditions of parole;

(2) include policies and procedures for

(A) calculating and tracking credits earned by parolees;

(B) reducing the parolee's period of parole based on credits earned by the parolee and notifying a victim under AS 33.30.013.

*** Sec. 47.** AS 33.16.270 is amended by adding a new subsection to read:

(b) In this section, "sex offense" has the meaning given in AS 12.63.100."

Renumber the following bill sections accordingly.

Page 32, line 28:

Delete "and"

Page 32, line 29, following "Act":

Insert ";

(10) AS 33.05.020(h), as amended by sec. 26 of this Act; and

(11) AS 33.16.270, as amended by sec. 46 of this Act"

Page 33, line 11:

1 Delete "sec. 34"

2 Insert "sec. 36"

3

4 Page 33, line 12:

5 Delete "sec. 34"

6 Insert "sec. 36"

7

8 Page 33, line 13:

9 Delete "26"

10 Insert "28"

11

12 Page 33, line 14:

13 Delete "sec. 50"

14 Insert "sec. 54"

AMENDMENT #13

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

TO: HCS CSSB 54(JUD)

Page 1, line 6, following "program;":

Insert "relating to the Alaska Criminal Justice Commission;"

Page 29, following line 5:

Insert a new bill section to read:

"* Sec. 47. AS 44.19.647 is amended by adding a new subsection to read:

(c) In addition to the information required under (a) of this section, the commission's annual reports submitted to the governor and the legislature in 2018, 2019, and 2020 must include the following information on sentences imposed under AS 12.55.135(m) for disorderly conduct under AS 11.61.110:

(1) an analysis of terms of sentences by various demographic groups, including ethnic groups; and

(2) whether different demographic groups receive disproportionately longer terms of sentences."

Renumber the following bill sections accordingly.

Page 32, following line 16:

Insert a new bill section to read:

"* Sec. 50. AS 44.19.647(c) is repealed December 31, 2020."

Renumber the following bill sections accordingly.

- 1 Page 33, line 14:
- 2 Delete "sec. 50"
- 3 Insert "sec. 52"

AMENDMENT

#14

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

TO: HCS CSSB 54(JUD)

1 Page 33, following line 12:

2 Insert new bill sections to read:

3 "** Sec. 50. The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 CONDITIONAL EFFECT; NOTIFICATION TO REVISOR OF STATUTES. (a)
6 Section 47 of this Act takes effect only if, on or before July 1, 2018, the director of the
7 division of legislative finance provides notice to the revisor of statutes under (b) of this
8 section.

9 (b) The director of the division of legislative finance shall, on or before July 1, 2018,
10 notify the revisor of statutes if the Thirtieth Alaska State Legislature passes an appropriation
11 bill that is enacted into law that makes an appropriation to the Department of Health and
12 Social Services for the alcohol safety action program for the fiscal year ending June 30, 2019,
13 that is at least 50 percent greater than the amount appropriated to the Department of Health
14 and Social Services for the alcohol safety action program for the fiscal year ending June 30,
15 2018.

16 * Sec. 51. If, under sec. 50 of this Act, sec. 47 of this Act takes effect, it takes effect July 1,
17 2018."

18

19 Renumber the following bill sections accordingly.

20

21 Page 33, line 14:

22 Delete "sec. 50"

23 Insert "secs. 51 and 52"

AMENDMENT

#15

OFFERED IN THE HOUSE

BY REPRESENTATIVE PRUITT

TO: HCS CSSB 54(JUD)

Page 1, following line 7:

Insert a new bill section to read:

"* **Section 1.** AS 11.46.130(a) is amended to read:

(a) A person commits the crime of theft in the second degree if the person commits theft as defined in AS 11.46.100 and

(1) the value of the property or services, adjusted for inflation as provided in AS 11.46.982, is \$750 [\$1,000] or more but less than \$25,000;

(2) the property is a firearm or explosive;

(3) the property is taken from the person of another;

(4) the property is taken from a vessel and is vessel safety or survival equipment;

(5) the property is taken from an aircraft and the property is aircraft safety or survival equipment;

(6) the value of the property, adjusted for inflation as provided in AS 11.46.982, is \$250 or more but less than \$750 [\$1,000] and, within the preceding five years, the person has been convicted and sentenced on two or more separate occasions in this or another jurisdiction of

(A) an offense under AS 11.46.120, or an offense under another law or ordinance with similar elements;

(B) a crime set out in this subsection or an offense under another law or ordinance with similar elements;

(C) an offense under AS 11.46.140(a)(1), or an offense under another law or ordinance with similar elements; or

(D) an offense under AS 11.46.220(c)(1) or (c)(2)(A), or an offense under another law or ordinance with similar elements; or
(7) the property is an access device."

Page 1, line 8:

Delete "Section 1"

Insert "Sec. 2"

Renumber the following bill sections accordingly.

Page 1, line 12:

Delete "\$1,000"

Insert "\$750 [\$1,000]"

Page 2, line 11:

Delete "\$1,000"

Insert "\$750 [\$1,000]"

Page 2, line 14:

Delete "\$1,000"

Insert "\$750 [\$1,000]"

Page 2, line 25:

Delete "\$1,000"

Insert "\$750 [\$1,000]"

Page 3, following line 2:

Insert new bill sections to read:

"* Sec. 4. AS 11.46.260(b) is amended to read:

(b) Removal of identification marks is

(1) a class C felony if the value of the property on which the serial

1 number or identification mark appeared, adjusted for inflation as provided in
2 AS 11.46.982, is \$750 [\$1,000] or more;

3 (2) a class A misdemeanor if the value of the property on which the
4 serial number or identification mark appeared, adjusted for inflation as provided in
5 AS 11.46.982, is \$250 or more but less than \$750 [\$1,000];

6 (3) a class B misdemeanor if the value of the property on which the
7 serial number or identification mark appeared, adjusted for inflation as provided in
8 AS 11.46.982, is less than \$250.

9 * **Sec. 5.** AS 11.46.270(b) is amended to read:

10 (b) Unlawful possession is

11 (1) a class C felony if the value of the property on which the serial
12 number or identification mark appeared, adjusted for inflation as provided in
13 AS 11.46.982, is \$750 [\$1,000] or more;

14 (2) a class A misdemeanor if the value of the property on which the
15 serial number or identification mark appeared, adjusted for inflation as provided in
16 AS 11.46.982, is \$250 or more but less than \$750 [\$1,000];

17 (3) a class B misdemeanor if the value of the property on which the
18 serial number or identification mark appeared, adjusted for inflation as provided in
19 AS 11.46.982, is less than \$250.

20 * **Sec. 6.** AS 11.46.280(d) is amended to read:

21 (d) Issuing a bad check is

22 (1) a class B felony if the face amount of the check is \$25,000 or more;

23 (2) a class C felony if the face amount of the check, adjusted for
24 inflation as provided in AS 11.46.982, is \$750 [\$1,000] or more but less than \$25,000;

25 (3) a class A misdemeanor if the face amount of the check, adjusted for
26 inflation as provided in AS 11.46.982, is \$250 or more but less than \$750 [\$1,000];

27 (4) a class B misdemeanor if the face amount of the check, adjusted for
28 inflation as provided in AS 11.46.982, is less than \$250.

29 * **Sec. 7.** AS 11.46.285(b) is amended to read:

30 (b) Fraudulent use of an access device is

31 (1) a class B felony if the value of the property or services obtained is

1 \$25,000 or more;

2 (2) a class C felony if the value of the property or services obtained,
3 adjusted for inflation as provided in AS 11.46.982, is \$750 [\$1,000] or more but less
4 than \$25,000;

5 (3) a class A misdemeanor if the value of the property or services
6 obtained, adjusted for inflation as provided in AS 11.46.982, is less than \$750
7 [\$1,000].

8 * **Sec. 8.** AS 11.46.360(a) is amended to read:

9 (a) A person commits the crime of vehicle theft in the first degree if, having
10 no right to do so or any reasonable ground to believe the person has such a right, the
11 person drives, tows away, or takes

12 (1) the car, truck, motorcycle, motor home, bus, aircraft, or watercraft
13 of another;

14 (2) the propelled vehicle of another and

15 (A) the vehicle or any other property of another is damaged in a
16 total amount, adjusted for inflation as provided in AS 11.46.982, of \$750
17 [\$1,000] or more;

18 (B) the owner incurs reasonable expenses as a result of the loss
19 of use of the vehicle, in a total amount, adjusted for inflation as provided in
20 AS 11.46.982, of \$750 [\$1,000] or more; or

21 (C) the owner is deprived of the use of the vehicle for seven
22 days or more;

23 (3) the propelled vehicle of another and the vehicle is marked as a
24 police or emergency vehicle; or

25 (4) the propelled vehicle of another and, within the preceding seven
26 years, the person was convicted under

27 (A) this section or AS 11.46.365;

28 (B) former AS 11.46.482(a)(4) or (5);

29 (C) former AS 11.46.484(a)(2);

30 (D) AS 11.46.120 - 11.46.140 of an offense involving the theft
31 of a propelled vehicle; or

1 (E) a law or ordinance of this or another jurisdiction with
2 elements substantially similar to those of an offense described in (A) - (D) of
3 this paragraph.

4 * Sec. 9. AS 11.46.482(a) is amended to read:

5 (a) A person commits the crime of criminal mischief in the third degree if,
6 having no right to do so or any reasonable ground to believe the person has such a
7 right,

8 (1) with intent to damage property of another, the person damages
9 property of another in an amount, adjusted for inflation as provided in AS 11.46.982,
10 of \$750 [\$1,000] or more;

11 (2) the person recklessly creates a risk of damage in an amount
12 exceeding \$100,000 to property of another by the use of widely dangerous means; or

13 (3) the person knowingly

14 (A) defaces, damages, or desecrates a cemetery or the contents
15 of a cemetery or a tomb, grave, or memorial regardless of whether the tomb,
16 grave, or memorial is in a cemetery or whether the cemetery, tomb, grave, or
17 memorial appears to be abandoned, lost, or neglected;

18 (B) removes human remains or associated burial artifacts from
19 a cemetery, tomb, grave, or memorial regardless of whether the cemetery,
20 tomb, grave, or memorial appears to be abandoned, lost, or neglected.

21 * Sec. 10. AS 11.46.484(a) is amended to read:

22 (a) A person commits the crime of criminal mischief in the fourth degree if,
23 having no right to do so or any reasonable ground to believe the person has such a
24 right,

25 (1) with intent to damage property of another, the person damages
26 property of another in an amount, adjusted for inflation as provided in AS 11.46.982,
27 of \$250 or more but less than \$750 [\$1,000];

28 (2) the person tampers with a fire protection device in a building that is
29 a public place;

30 (3) the person knowingly accesses a computer, computer system,
31 computer program, computer network, or part of a computer system or network;

(4) the person uses a device to descramble an electronic signal that has been scrambled to prevent unauthorized receipt or viewing of the signal unless the device is used only to descramble signals received directly from a satellite or unless the person owned the device before September 18, 1984; or

(5) the person knowingly removes, relocates, defaces, alters, obscures, shoots at, destroys, or otherwise tampers with an official traffic control device or damages the work on a highway under construction.

* **Sec. 11.** AS 11.46.530(b) is amended to read:

(b) Criminal simulation is

(1) a class C felony if the value of what the object purports to represent, adjusted for inflation as provided in AS 11.46.982, is \$750 [\$1,000] or more;

(2) a class A misdemeanor if the value of what the object purports to represent, adjusted for inflation as provided in AS 11.46.982, is \$250 or more but less than \$750 [\$1,000];

(3) a class B misdemeanor if the value of what the object purports to represent, adjusted for inflation as provided in AS 11.46.982, is less than \$250.

* **Sec. 12.** AS 11.46.620(d) is amended to read:

(d) Misapplication of property is

(1) a class C felony if the value of the property misapplied, adjusted for inflation as provided in AS 11.46.982, is \$750 [\$1,000] or more;

(2) a class A misdemeanor if the value of the property misapplied, adjusted for inflation as provided in AS 11.46.982, is less than \$750 [\$1,000].

* **Sec. 13.** AS 11.46.730(c) is amended to read:

(c) Defrauding creditors is a class A misdemeanor unless that secured party, judgment creditor, or creditor incurs a pecuniary loss, adjusted for inflation as provided in AS 11.46.982, of \$750 [\$1,000] or more as a result of the defendant's conduct, in which case defrauding secured creditors is

(1) a class B felony if the loss is \$25,000 or more;

(2) a class C felony if the loss, adjusted for inflation as provided in AS 11.46.982, is \$750 [\$1,000] or more but less than \$25,000.

1 *** Sec. 14.** AS 11.46.982(a) is amended to read:

2 (a) The Alaska Judicial Council shall publish a report on July 1, 2020,
3 calculating the increase in value, if any, of property or services as an element of an
4 offense in this chapter from a base value of \$250 and \$750 [\$1,000], based on a
5 formula provided by the Department of Labor and Workforce Development, reflecting
6 the change in the Consumer Price Index for the Anchorage metropolitan area compiled
7 by the Bureau of Labor Statistics, United States Department of Labor.

8 *** Sec. 15.** AS 11.46.982(b) is amended to read:

9 (b) The Alaska Judicial Council shall, in calculating the price of property or
10 services as provided in this section,

11 (1) recalculate the base value of property and services of \$250 and
12 \$750 [\$1,000] every five years; and

13 (2) report the base value of property and services of \$250 and \$750
14 [\$1,000] rounded to the nearest \$50 increment."

15

16 Renumber the following bill sections accordingly.

17

18 Page 32, lines 21 - 22:

19 Delete all material and insert:

- 20 "(1) AS 11.46.130(a), as amended by sec. 1 of this Act;
21 (2) AS 11.46.140(a), as amended by sec. 2 of this Act;
22 (3) AS 11.46.220(c), as amended by sec. 3 of this Act;
23 (4) AS 11.46.260(b), as amended by sec. 4 of this Act;
24 (5) AS 11.46.270(b), as amended by sec. 5 of this Act;
25 (6) AS 11.46.280(d), as amended by sec. 6 of this Act;
26 (7) AS 11.46.285(b), as amended by sec. 7 of this Act;
27 (8) AS 11.46.360(a), as amended by sec. 8 of this Act;
28 (9) AS 11.46.482(a), as amended by sec. 9 of this Act;
29 (10) AS 11.46.484(a), as amended by sec. 10 of this Act;
30 (11) AS 11.46.530(b), as amended by sec. 11 of this Act;
31 (12) AS 11.46.620(d), as amended by sec. 12 of this Act;

(13) AS 11.46.730(c), as amended by sec. 13 of this Act;"

Renumber the following paragraphs accordingly.

Page 32, line 23:

Delete "sec. 3"

Insert "sec. 16"

Page 32, line 24:

Delete "sec. 4"

Insert "sec. 17"

Page 32, line 25:

Delete "sec. 5"

Insert "sec. 18"

Page 32, line 26:

Delete "sec. 6"

Insert "sec. 19"

Page 32, line 27:

Delete "sec. 7"

Insert "sec. 20"

Page 32, line 28:

Delete "sec. 10"

Insert "sec. 23"

Page 32, line 29:

Delete "sec. 25"

Insert "sec. 38"

1

2 Page 33, line 1:

3 Delete "sec. 11"

4 Insert "sec. 24"

5

6 Page 33, line 2:

7 Delete "sec. 14"

8 Insert "sec. 27"

9

10 Page 33, line 3:

11 Delete "sec. 15"

12 Insert "sec. 28"

13

14 Page 33, line 4:

15 Delete "sec. 16"

16 Insert "sec. 29"

17

18 Page 33, line 5:

19 Delete "sec. 17"

20 Insert "sec. 30"

21

22 Page 33, line 6:

23 Delete "sec. 18"

24 Insert "sec. 31"

25

26 Page 33, line 7:

27 Delete "sec. 19"

28 Insert "sec. 32"

29

30 Page 33, line 8:

31 Delete "sec. 20"

1 Insert "sec. 33"

2

3 Page 33, line 9:

4 Delete "sec. 21"

5 Insert "sec. 34"

6

7 Page 33, line 10:

8 Delete "sec. 22"

9 Insert "sec. 35"

10

11 Page 33, line 11:

12 Delete "sec. 34"

13 Insert "sec. 47"

14

15 Page 33, line 12:

16 Delete "sec. 34"

17 Insert "sec. 47"

18

19 Page 33, line 13:

20 Delete "Sections 10, 11, and 26"

21 Insert "Sections 23, 34, and 39"

22

23 Page 33, line 14:

24 Delete "sec. 50"

25 Insert "sec. 63"