



Alaska State Legislature

Senator Matt Claman

Session: State Capitol, Juneau, AK 99801 Phone: 465-4919

Interim: 1500 W. Benson Blvd., Anchorage, AK 99503 Phone: 269-0130

Senate Bill 53

Explanation of Changes

Version B to Version S

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Section 1 (page 1, lines 5-14; page 2, lines 1-7):

- Creates a new section of bill
- Changes subsection (a) so that an evaluation for the insanity defense requires one qualified psychiatrist or psychologist
- Removes the requirement that the psychiatrist or psychologist have certification by the American Board of Forensic Psychology

Section 2 (page 2, lines 8-25):

- Creates a new section of bill
- Amends subsection (b) to require that motions by attorneys requesting competency evaluation are written motions

Section 3 (page 2, lines 26-31; page 3, lines 1-3):

- Creates a new section of bill
- Conforming change to add the crime of arson to the legislation
- Adds reference to AS 12.30, stating that defendants may be released on bail conditions for outpatient competency examinations

Section 4 (page 3, lines 4-26):

- Creates a new section of bill
- Amends the section to increase the maximum total time for competency restoration hold from one year to two years for charges of crimes involving force against a person by increasing the period from 6 months to 18 months

Section 5 (page 3, lines 27-31; page 4, lines 1-14):

- Conforming changes to add the crime of arson to the legislation
- Adds reference to AS 12.30, stating that defendants may be released on bail conditions for outpatient evaluation and treatment
- Amends new subsection (g) by adding requirement that the prosecutor shall provide the court's findings to the division of the Department of Law that has responsibility for civil cases within 24 hours of the court's ruling. Amends the subsection by adding that when the Department of Law files petitions for involuntary commitment under this section, the petition must be filed within 72 hours after the dismissal of the charges
- Creates new subsection (h) which states that when the court dismisses the charges, the defendant may not be discharged until 72 hours after the court dismisses the charges



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Section 6 (page 4, lines 15-26):

- Conforming change to add the crime of arson to the legislation
- Adds provisions for alleged victim notification of: the time and place of any civil commitment proceeding; of the court's finding at any civil commitment proceeding, including the length of time for which the respondent is committed; and of when the respondent is discharged from any civil commitment

Section 7 (page 4, lines 27-31; page 5, lines 1-31):

- Removes the word "repeated" from the history of felony offenses requirement
- Conforming changes to add the crime of arson to the legislation

Section 9 (page 6, lines 7-26):

- Removes the word "repeated" from the history of felony offenses requirement
- Removes "or is committed as a result of being found incompetent to stand trial under AS 12.47.100 and 12.47.110 for a felony offense against a person under AS 11.41"
- Conforming change to add the crime of arson to the legislation

Section 11 (page 7, lines 18-22):

- Creates a new section of the bill
- Indirect court rule change to conform with added requirement of written motion by attorneys requesting competency evaluation in AS 12.47.100

Section 12 (page 7, lines 23-27):

- Creates a new section of the bill
- Adds conditional effect language based on indirect court rule change