



33RD ALASKA STATE LEGISLATURE

REPRESENTATIVE CRAIG JOHNSON
HOUSE DISTRICT 10
CHAIR, HOUSE RULES COMMITTEE

House Bill 398: "An Act relating to controlled substances."

Sectional Analysis

Section 1: Amends AS 11.71.030(a), by adding new language that establishes that a person commits the crime of misconduct involving controlled substances (Schedule IA, IIA) in the third degree if the crime occurs 500 feet at or within a day care center, shelters for the homeless, or a treatment and rehabilitation center.

Section 2: Amends AS 11.71.030(b) amending an affirmative defense for certain prohibited conduct occurring within private residences located within 500 feet of day care center, shelters for the homeless, or a treatment and rehabilitation center. The defense applies if the conduct did not involve distributing or possessing controlled substances for profit.

Section 3: Amends AS 11.71.040(a), by adding new language that establishes that a person commits the crime of misconduct involving controlled substances (Schedule IIIA, IVA, VA, VIA) in the fourth degree if the crime occurs 500 feet at or within a day care center, shelters for the homeless, or a treatment and rehabilitation center.

Section 4: Amends AS 11.71.040(b), mirroring the affirmative defense outlined in Section 2 for certain prohibited conduct occurring within private residences within 500 feet of a day care center, shelters for the homeless, or a treatment and rehabilitation center.

Section 5: Amends AS 28.01.010(d), Provisions Uniform Throughout State, and mandates municipalities to install official traffic control devices indicating "drug-free zones" near daycare centers, homeless shelters, and treatment and rehabilitation centers.

Section 6: Establishes the applicability of the amendments made in Sections 1-4, specifying that they apply to offenses committed on or after the effective date of the act.