

**HOUSE BILL NO. 330 am**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES VANCE, Coulombe, Wright, Gray, Himschoot, McCormick, Story, Galvin,  
Josephson, Mina**

**SENATORS Myers, Tobin, Kawasaki, Kiehl, Gray-Jackson, Dunbar**

**Amended: 5/1/24  
Introduced: 2/15/24**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the use and possession of electronic devices by prisoners; and**  
2 **relating to prisoner communication reimbursement rates."**

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

4 **\* Section 1.** AS 33.30.015(a) is amended to read:

5 (a) The commissioner may not

6 (1) make per capita expenditures for food for prisoners in a state  
7 correctional facility operated by the state that exceed 90 percent of per capita  
8 expenditures for food that is available to enlisted personnel in the United States Army  
9 stationed in the state;

10 (2) provide, in a state correctional facility operated by the state,

11 (A) living quarters for a prisoner into which the view is  
12 obstructed; however, the commissioner is not required to renovate a facility to  
13 comply with this subparagraph if the facility is being used as a correctional  
14 facility on August 27, 1997, or if the facility was already built before being

1 acquired by the department;

2 (B) equipment or facilities for publishing or broadcasting  
3 material the content of which is not subject to prior approval by the department  
4 as consistent with keeping order in the institution and prisoner discipline;

5 (C) cable television service other than a level of basic cable  
6 television service that is available as a substitute for services that are broadcast  
7 to the public in the community in which a correctional facility is located;

8 (3) allow a prisoner held in a state correctional facility operated by the  
9 state to

10 (A) possess in the prisoner's cell a

11 (i) cassette tape player or recorder, [A] video cassette  
12 recorder (VCR), or telephone;

13 (ii) computer or electronic tablet unless used for a  
14 purpose approved under (I) of this paragraph [A COMPUTER OR  
15 MODEM OF ANY KIND];

16 (B) view movies rated "R," "X," [OR] "NC-17," or television  
17 shows rated "TV-MA";

18 (C) possess printed or photographic material that

19 (i) is obscene as defined by the commissioner in  
20 regulation;

21 (ii) could reasonably be expected to incite racial, ethnic,  
22 or religious hatred that is detrimental to the security, good order, or  
23 discipline of the institution or violence;

24 (iii) could reasonably be expected to aid in an escape or  
25 in the theft or destruction of property;

26 (iv) describes procedures for brewing alcoholic  
27 beverages or for manufacturing controlled substances, weapons, or  
28 explosives; or

29 (v) could reasonably be expected to facilitate criminal  
30 activity or a violation of institution rules;

31 (D) receive instruction in person, or by broadcast medium, or

1 engage in boxing, wrestling, judo, karate, or other martial art or in any activity  
2 that, in the commissioner's discretion, would facilitate violent behavior;

3 (E) possess or have access to equipment for use in the activities  
4 listed in (D) of this paragraph;

5 (F) possess or have access to free weights;

6 (G) possess in the prisoner's cell a coffee pot, hot plate,  
7 appliance or heating element for food preparation, or more than three electrical  
8 appliances of any kind;

9 (H) possess or appear in a state of dress, hygiene, grooming, or  
10 appearance other than as permitted as uniform or standard in the correctional  
11 facility;

12 (I) use a computer or electronic tablet other than those  
13 approved by the correctional facility; the use of a computer or electronic  
14 tablet under this subparagraph may be approved only to facilitate the  
15 prisoner's rehabilitation or the prisoner's compliance with a reentry plan  
16 or case plan developed under AS 33.30.011, as part of the prisoner's  
17 employment, education, [OR] vocational training, access to legal reference  
18 materials, visitation, or health care, or for another purpose identified by  
19 the commissioner in regulation, and may not be used for any other purpose;

20 (J) smoke or use tobacco products of any kind;

21 **(4) allow a state correctional facility operated by the state to**  
22 **charge a fee for electronic mail or electronic visitation services.**

23 \* **Sec. 2.** AS 33.30.231 is amended by adding a new subsection to read:

24 (e) The commissioner may not set the rate of reimbursement for the use of a  
25 telephone, a form of digital communication, or an electronic visitation service by a  
26 prisoner at a rate that exceeds the cost of service.

27 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
28 read:

29 APPLICABILITY. AS 33.30.231(e), enacted by sec. 2 of this Act, applies to costs  
30 incurred on or after the effective date of this Act.

31 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 APPLICABILITY. AS 33.30.015(a)(4), enacted by sec. 1 of this Act, applies to  
3 services used by a prisoner on or after the effective date of this Act.