



# LAWS OF ALASKA

1988

Source

CSSB 324(Jud)

Chapter No.

82

## AN ACT

Relating to eligibility to serve time in a correctional restitution center.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 1, 1988  
Actual Effective Date: August 30, 1988

AN ACT

Relating to eligibility to serve time in a correctional  
restitution center.

\* Section 1. AS 33.30.151(a) is amended to read:

(a) The commissioner shall establish correctional restitution centers in the state. The purpose of the centers is to provide certain [NONVIOLENT] offenders with rehabilitation through community service and employment while protecting the community through partial incarceration of the offender, and to create a means to provide restitution to victims of crimes.

\* Sec. 2. AS 33.30.161(b) is amended to read:

(b) To be eligible to serve time in a correctional restitution center, the prisoner

(1) must be employable or eligible to work on community service projects approved by the commissioner and agree to secure employment or participate in community service projects and obey the rules of the center;

(2) may not be serving a sentence for conviction of an offense

(A) involving violence or the use of force;

(B) under AS 11.41.320, 11.41.330, or AS 11.61.120(a)-

(6);

(3) may not have been convicted of a felony [AN] offense, in the state or another jurisdiction, involving violence or the use of

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1 force [, AS DEFINED IN AS 11.81.900(b); IN THIS PARAGRAPH, "VIOLENCE  
2 OR THE USE OF FORCE" INCLUDES POSSESSION OF A FIREARM, AS DEFINED IN  
3 AS 11.81.900(b), IN THE COMMISSION OF AN OFFENSE, WHETHER OR NOT THE  
4 FIREARM WAS ACTUALLY USED]; and

5 (4) [(3)] may not have been convicted of an offense under  
6 AS 11.41.410 - 11.41.470 or an offense in the state or another juris-  
7 diction having elements substantially identical to an offense under  
8 AS 11.41.410 - 11.41.470.

9 \* Sec. 3. AS 33.30.161 is amended by adding a new subsection to read:

10 (d) In (b) of this section,

11 (1) "force" has the meaning given in AS 11.81.900(b);

12 (2) "violence or the use of force" includes possession of a  
13 firearm, as defined in AS 11.81.900(b), in the commission of an of-  
14 fense, whether or not the firearm was actually used.