



# LAWS OF ALASKA

1990

**Source**

SCS HB 316(Jud)

**Chapter No.**

142

**AN ACT**

An Act relating to fines imposed in criminal cases against organizations.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

Approved by the Governor: June 21, 1990  
Actual Effective Date: September 19, 1990

AN ACT

Relating to fines imposed in criminal cases  
against organizations.

\* Section 1. AS 12.55.035(c) is repealed and reenacted to read:

(c) Upon conviction of an offense, a defendant that is an organization may be sentenced to pay a fine not exceeding the greater of

(1) an amount that is

(A) \$500,000 for a felony offense or for a misdemeanor offense that results in death;

(B) \$200,000 for a class A misdemeanor offense that does not result in death;

(C) \$25,000 for a class B misdemeanor offense that does not result in death;

(D) \$10,000 for a violation;

(2) two times the pecuniary gain realized by the defendant as a result of the offense; or

(3) two times the pecuniary damage or loss caused by the defendant to another, or to the property of another, as a result of the offense.

\* Sec. 2. AS 12.55.035 is amended by adding a new subsection to read:

(e) In imposing a fine under (c) of this section, in addition to any other relevant factors, the court shall consider

(1) measures taken by the organization to discipline an officer, director, employee, or agent of the organization;

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1                   (2) measures taken by the organization to prevent a recur-  
2                   rence of the offense;

3                   (3) the organization's obligation to make restitution to a  
4                   victim of the offense, and the extent to which imposition of a fine  
5                   will impair the ability of the organization to make restitution; and

6                   (4) the extent to which the organization will pass on to  
7                   consumers the expense of the fine.  
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