

SENATE BILL NO. 155

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Introduced: 4/10/95

Referred: JUD, FIN

A BILL

FOR AN ACT ENTITLED

1 "An Act to permit a court to order a defendant who receives a sentence of
2 imprisonment for a misdemeanor to serve the sentence by electronic monitoring;
3 and relating to the crime of unlawful evasion in the second degree."

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

5 * **Section 1.** AS 11.56.350(a) is amended to read:

6 (a) A person commits the crime of unlawful evasion in the second degree if,
7 while charged with or convicted of a misdemeanor,

8 (1) the person fails to return to official detention within the time
9 authorized following temporary leave granted for a specific purpose or limited period,
10 including leave granted under AS 33.30.181; [OR]

11 (2) while on furlough under AS 33.30.101 - 33.30.131 the person fails
12 to return to the place of confinement or residence within the time authorized by those
13 having direct supervision; or

14 (3) while serving a sentence by electronic monitoring under

1 AS 12.55.057 the person removes, tampers with, or disables the monitoring
2 equipment or leaves the person's residence or other place designated by the court
3 for service of the sentence by electronic monitoring.

4 * **Sec. 2.** AS 12.55 is amended by adding a new section to read:

5 Sec. 12.55.057. SERVICE OF SENTENCE BY ELECTRONIC MONITORING.

6 (a) A person sentenced to a term of imprisonment for a misdemeanor may be ordered
7 by the court to serve the sentence by electronic monitoring at the person's residence
8 or other place specified by the court. The electronic monitoring shall be administered
9 by the Department of Corrections and shall be designed so that any attempt to remove,
10 tamper with, or disable the monitoring equipment or to leave the place designated for
11 the service of the sentence will result in a report or notice to the Department of
12 Corrections.

13 (b) A person who, while serving a sentence under this section, removes,
14 tampers with, or disables electronic monitoring equipment or leaves the person's
15 residence or other place designated by the court for service of the sentence may be
16 prosecuted as provided in AS 11.56.350.

17 (c) The court shall assess the costs of electronic monitoring to the defendant.