

CS FOR SENATE BILL NO. 264(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/15/96
Referred: Finance

Sponsor(s): SENATORS HALFORD, Taylor, Green, Donley, Kelly, Leman
REPRESENTATIVES Bunde, Toohey, Porter, Barnes, Masek, James, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act limiting the authority of courts to suspend the imposition of sentence
2 in criminal cases."

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

4 * Section 1. AS 12.55.085(f) is amended to read:

5 (f) The court may not suspend the imposition of sentence of a person who

6 (1) is convicted of a violation of AS 11.41.100 - 11.41.220, 11.41.260 -
7 11.41.320, 11.41.410 - 11.41.530, or AS 11.46.400 [AS 11.41.410 - 11.41.455];

8 (2) uses a firearm in the commission of the offense for which the
9 person is convicted; or

10 (3) is convicted of a violation of AS 11.41.230 - 11.41.250 or a felony
11 [AS 11.41.210 - 11.41.270 OR 11.41.510 - 11.41.530,] and the person has [, WITHIN
12 THE 10 YEARS PRECEDING THE COMMISSION OF THE OFFENSE FOR
13 WHICH THE PERSON HAS BEEN CONVICTED,] one or more prior convictions for
14 a misdemeanor violation of AS 11.41 or for a felony [AS 11.41] or for a violation

1 of a law in this or another jurisdiction having substantially similar elements to an
2 offense defined as a misdemeanor in AS 11.41 or as a felony in this state [IN
3 AS 11.41]; for the purposes of this paragraph, a person shall be considered to have a
4 prior conviction even if that conviction has been set aside under (e) of this section or
5 under the equivalent provision of the laws of another jurisdiction.

6 * **Sec. 2. APPLICABILITY.** This Act applies to offenses committed on or after the
7 effective date of this Act. References to prior convictions refer to convictions occurring
8 before, on, or after the effective date of this Act.