

HOUSE BILL NO. 272

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE GREEN

Introduced: 5/6/97

Referred: Judiciary

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."

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

5 * **Section 1.** AS 11.56.340(a) is amended to read:

6 (a) A person commits the crime of unlawful evasion if, while charged with or
7 convicted of a felony or 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.** (a) A person
6 sentenced to a term of imprisonment for a misdemeanor may be ordered by the court
7 to serve the sentence by electronic monitoring at the person's residence or other place
8 specified by the court. The electronic monitoring shall be administered by the
9 Department of Corrections and shall be designed so that any attempt to remove, tamper
10 with, or disable the monitoring equipment or to leave the place designated for the
11 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 11.56.340.

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