

CS FOR HOUSE BILL NO. 372(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/30/00
Referred: Finance

Sponsor(s): REPRESENTATIVES DYSON, Berkowitz

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to criminal sentencing and restitution."**

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

3 * **Section 1.** AS 12.55 is amended by adding a new section to read:

4 **Sec. 12.55.011. Victim and community involvement in sentencing.** A court,
5 when considering and imposing sentence under this chapter for an offense other than
6 a violation of AS 11.41 or a crime involving domestic violence, may, with the consent
7 of the victim and the offender, impose a sentence that has been determined by a
8 negotiated agreement between the offender and the victim, or between the offender and
9 the community if there is no victim, if that sentence otherwise complies with this
10 chapter and accomplishes the goals of restoration of the victim and the community and
11 rehabilitation of the offender. Before accepting a negotiated agreement, the court shall
12 determine that the victim has not been intimidated or coerced in reaching the
13 agreement.

14 * **Sec. 2.** AS 12.55.045 is amended by adding a new subsection to read:

15 (h) In imposing restitution under this section, the court may require the

1 defendant to make restitution by means other than the payment of money if the
2 restitution has been determined under a negotiated agreement for a sentence under
3 AS 12.55.011.

4 * **Sec. 3.** AS 12.55.155(d) is amended by adding a new paragraph to read:

5 (18) the defendant and the victim, or the defendant and the community
6 if there is no victim, have negotiated an agreement for a sentence under AS 12.55.011.