

**CS FOR HOUSE BILL NO. 372(FIN) am**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 4/11/00

Offered: 4/7/00

Sponsor(s): REPRESENTATIVES DYSON, Berkowitz, Davies, Ogan, Kemplen, Murkowski, Smalley, James, Therriault, Croft, Cissna, Rokeberg

**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 the sentence to be imposed under this chapter for an offense other  
6 than a violation of AS 11.41, AS 11.46.400, or a crime involving domestic violence,  
7 may permit the victim and the offender to submit a sentence for the court's review  
8 based upon a negotiated agreement between the victim and the offender, or between  
9 the offender and the community if there is no victim. The court may, with the consent  
10 of the victim and the offender, impose the sentence that has been determined by the  
11 negotiated agreement between the offender and the victim, or between the offender and  
12 the community if there is no victim, if that sentence otherwise complies with this  
13 chapter and accomplishes the goals of restoration of the victim and the community and  
14 rehabilitation of the offender. Before accepting a negotiated agreement, the court shall  
15 determine that the victim has not been intimidated or coerced in reaching the

1 agreement. In this section, "community" has the meaning determined by the court.

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

3 (h) In imposing restitution under this section, the court may require the  
4 defendant to make restitution by means other than the payment of money if the  
5 restitution has been determined under a negotiated agreement for a sentence under  
6 AS 12.55.011.

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

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