

HOUSE BILL NO. 23

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES WEYHRAUCH, Gatto, Gara

Introduced: 1/21/03
Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to court-ordered restitution and compensation following a criminal**
2 **conviction."**

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

4 *** Section 1.** AS 12.55.045(a) is amended to read:

5 (a) The court may order a defendant convicted of an offense to make
6 restitution as provided in this section, including restitution to the victim or other
7 person injured by the offense, restitution to a public, private, or private nonprofit
8 organization that has provided or is or will be providing counseling, medical, or
9 shelter services to the victim or other person injured by the offense, compensation for
10 the value of volunteer labor incurred to alleviate or mitigate the effects of the
11 defendant's crime, or as otherwise authorized by law. In determining the amount and
12 method of payment of restitution or compensation, the court shall take into account
13 the

14 (1) public policy that favors requiring criminals to compensate for

1 damages and injury to their victims; and

2 (2) financial burden placed on the victim and those who provide
3 services to the victim and other persons injured by the offense as a result of the
4 criminal conduct of the defendant.

5 * **Sec. 2.** AS 12.55.100(a) is amended to read:

6 (a) While on probation and among the conditions of probation, the defendant
7 may be required

8 (1) to pay a fine in one or several sums;

9 (2) to make restitution or reparation to aggrieved parties for actual
10 damages or loss caused by the crime for which conviction was had, **including**
11 **compensation for the value of volunteer labor incurred to alleviate or mitigate**
12 **the effects of the defendant's crime;**

13 (3) to provide for the support of any persons for whose support the
14 defendant is legally responsible;

15 (4) to perform community work in accordance with AS 12.55.055;

16 (5) to participate in or comply with the treatment plan of an inpatient
17 or outpatient rehabilitation program specified by either the court or the defendant's
18 probation officer that is related to the defendant's offense or to the defendant's
19 rehabilitation; and

20 (6) to satisfy the screening, evaluation, referral, and program
21 requirements of an agency authorized by the court to make referrals for rehabilitative
22 treatment or to provide rehabilitative treatment.