

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

CS FOR HOUSE BILL NO. 23(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/3/03

Referred: Finance

Sponsor(s): REPRESENTATIVES WEYHRAUCH, Gatto, Gara, Lynn, Wilson, McGuire, Seaton

SENATORS Dyson, Seekins, Wagoner, Elton, Lincoln, French, Taylor, Ogan, Cowdery, Olson

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, to a public, private, or private nonprofit organization
8 that has provided or is or will be providing counseling, medical, or shelter services to
9 the victim or other person injured by the offense, or as otherwise authorized by law.

10 **The court may also order a defendant convicted of an offense to compensate a**
11 **victim that is a nonprofit organization for the value of labor or goods provided by**
12 **volunteers if the labor or goods were necessary to alleviate or mitigate the effects**
13 **of the defendant's crime.** In determining the amount and method of payment of
14 restitution **or compensation**, the court shall take into account the

1 (1) public policy that favors requiring criminals to compensate for
2 damages and injury to their victims; and

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

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

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

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

10 (2) to make restitution or reparation to aggrieved parties for actual
11 damages or loss caused by the crime for which conviction was had, **including**
12 **compensation to a victim that is a nonprofit organization for the value of labor or**
13 **goods provided by volunteers if the labor or goods were necessary to alleviate or**
14 **mitigate the effects of the defendant's crime;**

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

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

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

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