

**CS FOR HOUSE BILL NO. 329(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 2/27/06

Referred: Finance

Sponsor(s): REPRESENTATIVES STOLTZE AND LYNN

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to bail and unlawful evasion."**

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

3 \* **Section 1.** AS 11.56.340(b) is amended to read:

4 (b) Unlawful evasion is a class **C felony** [A MISDEMEANOR].

5 \* **Sec. 2.** AS 12.30.010 is amended to read:

6 **Sec. 12.30.010. Bail before or after conviction.** The defendant in a criminal  
7 proceeding is entitled to be admitted to bail before conviction as a matter of right if the  
8 alleged victim can be reasonably protected through the imposition of bail and  
9 conditions of release. **The defendant in a criminal case may be admitted to bail**  
10 **after conviction only as permitted under AS 12.30.040. However, nothing in this**  
11 **chapter allows a court to order a defendant who has not satisfied bail to be**  
12 **released temporarily or periodically, either before trial or after conviction unless**

13 **(1) the defendant is charged with a misdemeanor or class B or C**  
14 **felony and the release is because of the**

15 **(A) death of an immediate family member of the defendant;**

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or

(B) birth of the defendant's child; and

(2) the court solicits information from the Department of Corrections regarding the defendant's conduct while incarcerated and considers that information when making a decision under (1) of this subsection.

\* **Sec. 3.** AS 12.30.020(b)(3) is repealed.