

**HOUSE BILL NO. 90**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES SAMUELS AND STOLTZE, Hawker, Dahlstrom, Lynn, Ramras

Introduced: 1/16/07

Referred: Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to bail."**

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

3 \* **Section 1.** AS 12.30.020(j) is amended to read:

4 (j) If a person remains in custody after review of conditions by a judicial  
5 officer under (f) of this section, a subsequent review of conditions may be held at the  
6 request of the person. Unless the prosecuting authority stipulates otherwise, a judicial  
7 officer may not schedule a bail review hearing under this subsection unless

8 (1) the person provides to the court and the prosecuting authority a  
9 written statement that **new** information not considered at the previous review will be  
10 presented and includes a description of the new information; **in this paragraph, "new**  
11 **information" does not include**

12 **(A) a proposal to add an additional or alternative third-**  
13 **party custodianship after a party has approved a third-party**  
14 **custodianship unless the initial third-party custodian becomes**  
15 **unavailable;**

1                   **(B) a proposal for a third-party custodianship after the**  
2 **court has previously rejected three or more prior proposals for third-**  
3 **party custodianships;**

4                   **(C) the inability to obtain an appropriate third-party**  
5 **custodianship;**

6                   **(D) a request to reduce monetary bail after the court has**  
7 **approved a third-party custodianship;**

8                   **(E) the inability to post the required bail;**

9                   **(F) the passage of time, including the amount of time the**  
10 **defendant has been incarcerated;**

11                   **(G) any information that could have been presented at a**  
12 **previous bail review hearing;**

13                   (2) the prosecuting authority has at least 48 hours' notice before the  
14 time set for the review requested under this subsection; and

15                   (3) at least 48 hours have elapsed between the previous review and the  
16 time set for the review requested under this subsection.