

CS FOR HOUSE BILL NO. 133(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/27/07

Referred: Finance

Sponsor(s): REPRESENTATIVES BUCH, Gruenberg, Holmes, Lynn, Roses, Crawford, Fairclough, Neuman

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to requiring electronic monitoring as a special condition of probation**
2 **or parole for offenders whose offense was related to a criminal street gang."**

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

4 *** Section 1.** AS 12.55.100 is amended by adding a new subsection to read:

5 (f) While on probation and as a special condition of probation for an offense
6 where the aggravating factor provided in AS 12.55.155(c)(29) has been proven or
7 admitted, the court shall require that the defendant submit to electronic monitoring.
8 Electronic monitoring under this subsection must provide for monitoring of the
9 defendant's location and movements by Global Positioning System technology. A
10 defendant subject to electronic monitoring under this subsection is not entitled to a
11 credit for time served in a correctional facility while the defendant is on probation. In
12 this subsection, "correctional facility" has the meaning given in AS 33.30.901.

13 *** Sec. 2.** AS 33.16.150 is amended by adding a new subsection to read:

14 (g) In addition to other conditions of parole imposed under this section for a

1 prisoner serving a sentence for an offense where the aggravating factor provided in
2 AS 12.55.155(c)(29) has been proven or admitted, the board shall impose as a
3 condition of special medical, discretionary, and mandatory parole a requirement that
4 the defendant submit to electronic monitoring. Electronic monitoring under this
5 subsection must provide for monitoring of the defendant's location and movements by
6 Global Positioning System technology. A prisoner subject to electronic monitoring
7 under this subsection is not entitled to a credit for time served in a correctional facility
8 while the defendant is on parole. In this subsection, "correctional facility" has the
9 meaning given in AS 33.30.901.

10 * **Sec. 3.** AS 12.55.100(f) and AS 33.16.150(g) are repealed December 31, 2012.