



LAWS OF ALASKA

2007

Source
CSHB 133(FIN)

Chapter No.

AN ACT

Relating to requiring electronic monitoring as a special condition of probation and parole for offenders whose offense was related to a criminal street gang.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to requiring electronic monitoring as a special condition of probation and parole for
2 offenders whose offense was related to a criminal street gang.

3 _____

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. The
10 court shall require a defendant serving a period of probation with electronic
11 monitoring as provided under this subsection to pay all or a portion of the costs of the
12 electronic monitoring, but only if the defendant has sufficient financial resources to
13 pay the costs or a portion of the costs. A defendant subject to electronic monitoring
14 under this subsection is not entitled to a credit for time served in a correctional facility

1 while the defendant is on probation. In this subsection, "correctional facility" has the
2 meaning given in AS 33.30.901.

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

4 (g) In addition to other conditions of parole imposed under this section for a
5 prisoner serving a sentence for an offense where the aggravating factor provided in
6 AS 12.55.155(c)(29) has been proven or admitted, the board shall impose as a
7 condition of special medical, discretionary, and mandatory parole a requirement that
8 the prisoner submit to electronic monitoring. Electronic monitoring under this
9 subsection must provide for monitoring of the prisoner's location and movements by
10 Global Positioning System technology. The board shall require a prisoner serving a
11 period of probation with electronic monitoring as provided under this subsection to
12 pay all or a portion of the costs of the electronic monitoring, but only if the prisoner
13 has sufficient financial resources to pay the costs or a portion of the costs. A prisoner
14 subject to electronic monitoring under this subsection is not entitled to a credit for
15 time served in a correctional facility while the defendant is on parole. In this
16 subsection, "correctional facility" has the meaning given in AS 33.30.901.

17 * **Sec. 3.** AS 12.55.100(f) and AS 33.16.150(g) are repealed December 31, 2012.