

HOUSE BILL NO. 307

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HOLMES, GARA, DAHLSTROM, FAIRCLOUGH, JOHNSON, BUCH, HARRIS,
AND DOLL, Lynn, Salmon, Ramras, Samuels, Edgmon, Crawford, Doogan, Gardner, Olson, Gatto, Kerttula,
LeDoux, Kawasaki, Nelson

Introduced: 1/15/08

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to penalizing certain misdemeanor domestic violence offenses as
2 felonies."

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 INTENT. It is the intent of the legislature that, before accepting a plea, a court shall
7 make a factual finding that the defendant in a domestic violence case subject to an enhanced
8 penalty under AS 11.21.100, added by sec. 2 of this Act, was the perpetrator of the crime and
9 not an innocent victim of domestic violence.

10 * **Sec. 2.** AS 11 is amended by adding a new chapter to read:

11 **Chapter 21. Enhanced Penalties for Certain Offenses.**

12 **Sec. 11.21.100. Enhanced penalties for certain domestic violence offenses.**

13 If a person commits a crime involving domestic violence that is a misdemeanor crime
14 against a person under AS 11.41 and the person has been previously convicted on two

1 or more separate occasions of crimes involving domestic violence that are crimes
2 against a person under AS 11.41, then the crime is increased to a class C felony, and
3 the penalty for conviction of that crime is increased to the penalty for a class C felony.

4 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
5 read:

6 **APPLICABILITY.** AS 11.21.100, added by sec. 2 of this Act, applies to offenses
7 committed on or after the effective date of this Act. References to previous convictions
8 include convictions before, on, or after the effective date of this Act.