

**CS FOR HOUSE BILL NO. 359(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

**BY THE HOUSE JUDICIARY COMMITTEE**

**Offered: 2/21/08**

**Referred: Finance**

**Sponsor(s): HOUSE JUDICIARY COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to termination of probation for certain persons convicted of minor**  
2 **consuming or in possession or control of alcohol or repeat minor consuming or in**  
3 **possession or control of alcohol."**

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

5 **\* Section 1.** AS 04.16.050 is amended by adding a new subsection to read:

6 (l) Notwithstanding (b), (c), and (e) of this section, a person sentenced under  
7 (b) or (c) of this section may petition the court to terminate probation of that person  
8 before the end of the probationary period required under (b) or (e) of this section. The  
9 court may grant the petition if the court finds, by clear and convincing evidence, that  
10 the person

11 (1) completed any community work ordered under (f) of this section;

12 (2) has successfully completed any education or treatment program  
13 ordered by the court and, if required by the court, has either

14 (A) paid for the programs; or

1 (B) made a good faith effort to pay for the programs, agreed to  
2 have the debt reduced to a civil judgment, entered into a repayment plan with  
3 the provider or the state, and agreed that the civil judgment may be enforced in  
4 the manner provided for restitution and fines in AS 12.55.051;

5 (3) has either

6 (A) paid the fine; or

7 (B) made a good faith effort to pay the fine, agreed to have the  
8 remaining fine amount reduced to a civil judgment, entered into a plan with the  
9 state, and agreed that the civil judgment may be enforced in the manner  
10 provided for restitution and fines in AS 12.55.051; and

11 (4) has substantially complied with the other conditions of probation,  
12 and continuance of the probation would interfere with the rehabilitation and growth of  
13 the person.