

AMENDMENT [#] |

OFFERED IN THE HOUSE
TO: CSHB 98(FIN)

BY REPRESENTATIVE GARA


(Ramras)

1 Page 1, following line 6:

2 Insert a new bill section to read:

3 **"* Section 1.** AS 04.16.050(b) is amended to read:

4 (b) A person who violates (a) of this section and who has not been previously
5 convicted or received a suspended imposition of sentence under (1) of this subsection
6 is guilty of minor consuming or in possession or control. **Minor consuming or in**
7 **possession or control is not a misdemeanor.** Upon conviction in the district court,
8 the court

9 (1) may grant a suspended imposition of sentence under AS 12.55.085
10 and place the person on probation for up to one year if the person has not been
11 convicted of a violation of this section previously; among the conditions of probation,
12 the court shall, with the consent of a community diversion panel, refer the person to
13 the panel, and require the person to comply with conditions set by the panel, including
14 counseling, education, treatment, community work, and payment of fees; in this
15 paragraph, "community diversion panel" means a youth court or other group selected
16 by the court to serve as a sentencing option for a person convicted under this section;
17 or

18 (2) shall impose a fine of at least \$200 but not more than \$600, shall
19 require the person to attend alcohol information school if the school is available, and
20 shall place the person on probation for up to one year under (e) of this section; the
21 court may suspend a portion of the fine imposed under this paragraph that exceeds
22 \$200 if the person is required to pay for education or treatment required under (e) of
23 this section."

- 1
- 2 Page 1, line 7:
- 3 Delete "Section 1"
- 4 Insert "Sec. 2"
- 5
- 6 Renumber the following bill sections accordingly.
- 7
- 8 Page 1, line 12, following "section.":
- 9 Insert "Repeat minor consuming or in possession or control is not a
- 10 misdemeanor."