

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

HOUSE BILL NO. 307

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HOLMES, Fairclough, Millett, Muñoz, Peggy Wilson, Dahlstrom, Tammie Wilson, Cissna, Gardner, Herron, Buch, Kerttula, Gatto, Lynn, Gruenberg, Ramras, Doogan, Tuck, Guttenberg

SENATORS Davis, McGuire, Wielechowski, Meyer, Egan, Dyson, Kookesh, Thomas, Wagoner, French, Menard, Stedman, Ellis, Stevens, Paskvan

Introduced: 1/19/10

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to sexual assault protective orders."**

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

3 *** Section 1.** AS 22.15.100 is amended to read:

4 **Sec. 22.15.100. Functions and powers of district judge and magistrate.**

5 Each district judge and magistrate has the power

6 (1) to issue writs of habeas corpus for the purpose of inquiring into the
7 cause of restraint of liberty, returnable before a judge of the superior court, and the
8 same proceedings shall be had on the writ as if it had been granted by the superior
9 court judge under the laws of the state in such cases;

10 (2) of a notary public;

11 (3) to solemnize marriages;

12 (4) to issue warrants of arrest, summons, and search warrants
13 according to manner and procedure prescribed by law and the supreme court;

14 (5) to act as an examining judge or magistrate in preliminary
15 examinations in criminal proceedings; to set, receive, and forfeit bail and to order the

1 release of defendants under bail;

2 (6) to act as a referee in matters and actions referred to the judge or
3 magistrate by the superior court, with all powers conferred upon referees by laws;

4 (7) of the superior court in all respects including but not limited to
5 contempts, attendance of witnesses, and bench warrants;

6 (8) to order the temporary detention of a minor, or take other action
7 authorized by law or rules of procedure, in cases arising under AS 47.10 or AS 47.12,
8 when the minor is in a condition or surrounding dangerous or injurious to the welfare
9 of the minor or others that requires immediate action; the action may be continued in
10 effect until reviewed by the superior court in accordance with rules of procedure
11 governing these cases;

12 (9) to issue a protective order in cases involving

13 (A) domestic violence as provided in AS 18.66.100 -
14 18.66.180; or

15 (B) stalking or sexual assault as provided in AS 18.65.850 -
16 18.65.870;

17 (10) to review an administrative revocation of a person's driver's
18 license or nonresident privilege to drive, and an administrative refusal to issue an
19 original license, when designated as a hearing officer by the commissioner of
20 administration and with the consent of the administrative director of the state court
21 system;

22 (11) to establish the fact of death or inquire into the death of a person
23 in the manner prescribed under AS 09.55.020 - 09.55.069;

24 (12) to issue an ex parte testing, examination, or screening order
25 according to the manner and procedure prescribed by AS 18.15.375.