



AMENDMENT * 35

OFFERED IN THE HOUSE

TO: HCS CSSSSB 91(FIN)

1 Page 50, line 21, through page 51, line 14:

2 Delete all material and insert:

3 **** Sec. 83.** AS 12.55.125(e) is amended to read:

4 (e) Except as provided in (i) of this section, a defendant convicted of a class C
5 felony may be sentenced to a definite term of imprisonment of not more than five
6 years, and shall be sentenced to a definite term within the following presumptive
7 ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

8 (1) if the offense is a first felony conviction and does not involve
9 circumstances described in (4) of this subsection, **probation, with a suspended term**
10 **of imprisonment of** zero to **18 months** [TWO YEARS; A DEFENDANT
11 SENTENCED UNDER THIS PARAGRAPH MAY, IF THE COURT FINDS IT
12 APPROPRIATE, BE GRANTED A SUSPENDED IMPOSITION OF SENTENCE
13 UNDER AS 12.55.085,] and the court may, as a condition of probation under
14 AS 12.55.086, require the defendant to serve an active term of imprisonment **of not**
15 **more than 120 days** [WITHIN THE RANGE SPECIFIED IN THIS PARAGRAPH];

16 (2) if the offense is a second felony conviction, **one to three** [TWO
17 TO FOUR] years;

18 (3) if the offense is a third felony conviction, **two** [THREE] to five
19 years;

20 (4) if the offense is a first felony conviction, and the defendant violated
21 **(A) AS 08.54.720(a)(15), one to two years;**
22 **(B) AS 28.35.030(n)(1)(A) or 28.35.032(p)(1)(A), 120 days to**
23 **239 days;**

1
2
3
4

(C) AS 28.35.030(n)(1)(B) or 28.35.032(p)(1)(B), 240 days to
359 days;
(D) AS 28.35.030(n)(1)(C) or 23.35.032(p)(1)(C), 360 days to
two years."