

AMENDMENT #42

Rep. Pruitt

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, zero to 120 days [TWO YEARS]; a  
10 defendant sentenced under this paragraph may, if the court finds it appropriate, be  
11 granted a suspended imposition of sentence under as 12.55.085, and the court may, as  
12 a condition of probation under AS 12.55.086, require the defendant to serve an active  
13 term of imprisonment within the range specified in this paragraph;

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

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

18 (4) if the offense is a first felony conviction, and the defendant violated

19 (A) AS 08.54.720(a)(15), one to two years;

20 (B) AS 28.35.030(n)(1)(A) or 28.35.032(p)(1)(A), 120 days to

21 239 days;

22 (C) AS 28.35.030(n)(1)(B) or 28.35.032(p)(1)(B), 240 days to

23 359 days;

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**(D) AS 28.35.030(n)(1)(C) or 23.35.032(p)(1)(C), 360 days to  
two years."**