

AMENDMENT #12

OFFERED IN THE HOUSE

BY REPRESENTATIVE REINBOLD

TO: HCS CSSB 54(FIN)

1 Page 15, line 27, through page 16, line 16:

2 Delete all material and insert:

3 **"\* Sec. 28.** 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  
10 SUSPENDED TERM OF IMPRISONMENT OF] zero to two years [18 MONTHS]; a  
11 defendant sentenced under this paragraph may, if the court finds it appropriate, be  
12 granted a suspended imposition of sentence under AS 12.55.085, and the court may,  
13 as a condition of probation under AS 12.55.086, require the defendant to serve an  
14 active term of imprisonment within the range specified in this paragraph;

15 (2) if the offense is a second felony conviction, two [ONE] to four  
16 [THREE] years;

17 (3) if the offense is a third felony conviction, three [TWO] to five  
18 years;

19 (4) if the offense is a first felony conviction, and the defendant violated  
20 [(A)] AS 08.54.720(a)(15), one to two years [;  
21 (B) AS 28.35.030(n)(1)(A) OR 28.35.032(p)(1)(A), 120 DAYS  
22 TO 239 DAYS;  
23 (C) AS 28.35.030(n)(1)(B) OR 28.35.032(p)(1)(B), 240 DAYS

1 TO 359 DAYS;  
2 (D) AS 28.35.030(n)(1)(C) OR 23.35.032(p)(1)(C), 360 DAYS  
3 TO TWO YEARS]."  
4

5 Page 42, lines 3 - 4:

6 Delete "AS 12.55.125(e)(4)(C), 12.55.125(e)(4)(D), 12.55.125(e)(4)(E);"