

AMENDMENT #28

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: HCS CSSB 54(FIN)

1 Page 13, following line 7:

2 Insert a new bill section to read:

3 **** Sec. 23.** AS 12.25.180(a) is amended to read:

4 (a) When a peace officer stops or contacts a person for the commission of [A
5 CLASS C FELONY OFFENSE,] a misdemeanor [,] or the violation of a municipal
6 ordinance, the officer may, in the officer's discretion, issue a citation to the person
7 instead of taking the person before a judge or magistrate under AS 12.25.150, except
8 the officer may arrest if

9 (1) the person does not furnish satisfactory evidence of identity;

10 (2) the peace officer reasonably believes the person is a danger to
11 others;

12 (3) the crime for which the person is contacted is one involving
13 violence or harm to another person or to property;

14 (4) the person asks to be taken before a judge or magistrate under
15 AS 12.25.150; or

16 (5) the peace officer has probable cause to believe the person
17 committed a crime involving domestic violence; in this paragraph, "crime involving
18 domestic violence" has the meaning given in AS 18.66.990."

19

20 Renumber the following bill sections accordingly.

21

22 Page 42, line 29:

23 Delete "sec. 23"

- 1 Insert "sec. 24"
- 2
- 3 Page 42, line 30:
- 4 Delete "sec. 38"
- 5 Insert "sec. 39"
- 6
- 7 Page 42, line 31:
- 8 Delete "sec. 39"
- 9 Insert "sec. 40"
- 10
- 11 Page 43, line 1:
- 12 Delete "sec. 59"
- 13 Insert "sec. 60"
- 14
- 15 Page 43, line 4:
- 16 Delete "sec. 24"
- 17 Insert "sec. 25"
- 18
- 19 Page 43, line 5:
- 20 Delete "sec. 27"
- 21 Insert "sec. 28"
- 22
- 23 Page 43, line 6:
- 24 Delete "sec. 28"
- 25 Insert "sec. 29"
- 26
- 27 Page 43, line 7:
- 28 Delete "sec. 29"
- 29 Insert "sec. 30"
- 30
- 31 Page 43, line 8:

1 Delete "sec. 30"

2 Insert "sec. 31"

3

4 Page 43, line 9:

5 Delete "sec. 31"

6 Insert "sec. 32"

7

8 Page 43, line 10:

9 Delete "sec. 32"

10 Insert "sec. 33"

11

12 Page 43, line 11:

13 Delete "sec. 33"

14 Insert "sec. 34"

15

16 Page 43, line 12:

17 Delete "sec. 34"

18 Insert "sec. 35"

19

20 Page 43, line 13:

21 Delete "sec. 49"

22 Insert "sec. 50"

23

24 Page 43, line 14:

25 Delete "sec. 49"

26 Insert "sec. 50"

27

28 Page 43, following line 14:

29 Insert a new subsection to read:

30 "(d) AS 12.25.180(a), as amended by sec. 23 of this Act, applies to offenses
31 committed on or after the effective date of sec. 23 of this Act for contacts with peace officers

1 occurring on or after the effective date of sec. 23 of this Act."

2

3 Page 43, line 17:

4 Delete "SECS. 37 AND 69"

5 Insert "SECS. 38 AND 70"

6

7 Page 43, lines 17 - 18:

8 Delete "sec. 37"

9 Insert "sec. 38"

10

11 Page 43, line 20:

12 Delete "Section 69"

13 Insert "Section 70"

14 Delete "sec. 37"

15 Insert "sec. 38"

16

17 Page 43, line 24:

18 Delete "SEC. 66"

19 Insert "SEC. 67"

20

21 Page 43, line 25:

22 Delete "Section 66"

23 Insert "Section 67"

24

25 Page 44, line 4:

26 Delete "Sections 23, 24, and 41"

27 Insert "Sections 24, 25, and 42"

28

29 Page 44, line 5:

30 Delete "sec. 72"

31 Insert "sec. 73"

- 1 Delete "sec. 66"
- 2 Insert "sec. 67"
- 3
- 4 Page 44, line 7:
 - 5 Delete "Section 40"
 - 6 Insert "Section 41"
 - 7
- 8 Page 44, line 8:
 - 9 Delete "sec. 37"
 - 10 Insert "sec. 38"
 - 11 Delete "sec. 71(a)"
 - 12 Insert "sec. 72(a)"
 - 13
- 14 Page 44, line 10:
 - 15 Delete "sec. 69"
 - 16 Insert "sec. 70"
 - 17 Delete "sec. 71(b)"
 - 18 Insert "sec. 72(b)"
 - 19
- 20 Page 44, line 12:
 - 21 Delete "Section 68"
 - 22 Insert "Section 69"
 - 23
- 24 Page 44, line 13:
 - 25 Delete "sec. 37"
 - 26 Insert "sec. 38"
 - 27 Delete "sec. 76"
 - 28 Insert "sec. 77"
 - 29
- 30 Page 44, line 15:
 - 31 Delete "secs. 73 - 78"

1

Insert "secs. 74 - 79"