

AMENDMENT #8

OFFERED IN THE SENATE

By Sen. Kiehl

TO: SCS CSHB 49(FIN)

1 Page 40, line 27, through page 41, line 9:

2 Delete all material.

3

4 Renumber the following bill sections accordingly.

5

6 Page 42, line 28:

7 Delete "[SUBJECT TO THE LIMITS SET OUT IN AS 12.55.110]"

8 Insert "subject to the limits set out in AS 12.55.110"

9

10 Page 44, following line 20:

11 Insert a new bill section to read:

12 **** Sec. 73.** AS 12.55.110(c) is amended to read:

13 (c) If a defendant is serving a period of probation for an offense, the court may
14 find that the defendant has committed a technical violation of probation. If the court
15 finds that a defendant has committed a technical violation of probation that does not
16 include absconding, the court may reinstate the term of probation with appropriate
17 conditions or impose a sentence of imprisonment of not more than

18 (1) zero to three days for the first probation revocation; or

19 (2) [FIVE DAYS FOR THE SECOND PROBATION
20 REVOCATION;

21 (3) 10 DAYS FOR THE THIRD PROBATION REVOCATION; OR

22 (4)] the remainder of the suspended portion of the sentence for a
23 second [FOURTH] or subsequent probation revocation."

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Renumber the following bill sections accordingly.

Page 69, lines 19 - 21:

Delete "[, INCLUDING RESPONSES TO TECHNICAL VIOLATIONS OF CONDITIONS OF PROBATION,]"

Insert ", including responses to technical violations of conditions of probation,"

Page 77, lines 5 - 14:

Delete all material and insert:

"* **Sec. 121.** AS 33.16.215(a) is amended to read:

(a) If a parolee is serving a period of parole for an offense, the board may find that the parolee has committed a technical violation of parole. If the board finds that a parolee has committed a technical violation of parole that does not include absconding, the board may reinstate the term of parole with appropriate conditions or revoke parole and impose a term of imprisonment of not more than

- (1) zero to three days for the first parole revocation; **and**
- (2) [FIVE DAYS FOR THE SECOND PAROLE REVOCATION;
- (3) 10 DAYS FOR THE THIRD PAROLE REVOCATION; AND
- (4)] the remainder of the sentence for a second [FOURTH] or subsequent parole revocation."

Page 77, line 19:

Delete "[SUBJECT TO THE LIMITS SET OUT IN AS 33.16.215,]"

Insert "subject to the limits set out in AS 33.16.215,"

Page 80, lines 30 - 31:

Delete "[PROBATIONERS AND PAROLEES ADMITTED SOLELY FOR A TECHNICAL VIOLATION;]"

Insert "probationers and parolees admitted solely for a technical violation;"

1 Page 89, line 10:

2 Delete "12.55.110(c), 12.55.110(d), 12.55.110(e)"

3 Insert "12.55.110(d)"

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5 Page 89, line 11:

6 Delete "12.55.110(g), 12.55.110(h),"

7 Insert "12.55.110(h)(1),"

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9 Page 89, line 13:

10 Delete "33.16.215,"

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12 Page 92, line 17:

13 Delete "sec. 67"

14 Insert "sec. 66"

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16 Page 92, line 18:

17 Delete "sec. 68"

18 Insert "sec. 67"

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20 Page 92, line 19:

21 Delete "sec. 69"

22 Insert "sec. 68"

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24 Page 92, line 20:

25 Delete "sec. 70"

26 Insert "sec. 69"

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28 Page 92, line 21:

29 Delete "sec. 71"

30 Insert "sec. 70"

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1 Page 93, line 13:

2 Delete "sec. 72"

3 Insert "sec. 71"

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5 Page 93, line 14:

6 Delete "sec. 73"

7 Insert "sec. 72"

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9 Page 94, line 7:

10 Delete "Act."

11 Insert "Act;

12 (12) AS 33.16.215(a), as amended to read by sec. 121 of this Act."

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14 Page 94, line 10:

15 Delete all material.

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17 Renumber the following paragraphs accordingly.

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19 Page 94, line 21:

20 Delete "sec. 66"

21 Insert "sec. 65"

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23 Page 94, line 22:

24 Delete "sec. 66"

25 Insert "sec. 65"

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27 Page 94, line 23:

28 Delete "sec. 66"

29 Insert "sec. 65"