

HOUSE BILL NO. 226

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/27/20

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act amending the authority of pretrial services officers to file charges, make a**
2 **warrantless arrest, or request the court to issue a warrant for arrest for escape in the**
3 **third degree; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 33.07.030(g) is amended to read:

6 (g) A pretrial services officer may

7 (1) recommend pretrial diversion to the court and parties before
8 adjudication in accordance with the guidelines established by the commissioner under
9 AS 33.07.020(6);

10 (2) if the officer has probable cause to believe the defendant has
11 committed an offense under **AS 11.56.320, 11.56.730** [AS 11.56.730] or 11.56.757 or
12 has violated the defendant's release conditions, file a complaint with the court and

13 (A) arrest, with or without a warrant, a defendant who has been
14 released while awaiting trial; or

1 (B) request the court to issue warrants related to any violation
2 of the defendant's release conditions;

3 (3) refer interested defendants for substance abuse screening,
4 assessment, and treatment on a voluntary basis and assist any defendant whose offense
5 or criminal history identified a dependency on, abuse of, or addiction to alcohol or
6 controlled substances with accessing and obtaining appropriate treatment in the
7 community to address those needs;

8 (4) recommend that a defendant charged with an offense involving the
9 use of alcohol or controlled substances comply with a program established under
10 AS 47.38.020; and

11 (5) coordinate with community-based organizations and tribal courts
12 and councils to develop and expand pretrial diversion options.

13 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).