

1 IN THE SENATE

BY SENATORS BULLOCK, NOLAN  
AND COOPER

2 SENATE BILL NO. 16

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-THIRD SESSION

5 A BILL

6 For an Act entitled: "An Act relating to suspension of sentence  
7 for offenses not punishable by death or life  
8 imprisonment; amending Sec. 66-16-31 ACLA  
9 1949, as amended by Sec. 1, Chapter 195 SLA  
10 1955."

11 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

12 Section 1. Sec. 66-16-31 ACLA 1949, as amended by Sec. 1,  
13 Chapter 195 SLA 1955, is amended to read as follows:

14 Sec. 66-16-31. SUSPENSION OF SENTENCE AND PROBATION.

15 Upon entering a judgment of conviction of any offense not  
16 punishable by death or life imprisonment, ~~OR~~ AT ANY TIME  
17 WITHIN FIVE (5) YEARS FROM THE DATE OF ENTRY OF SUCH JUDGMENT  
18 OF CONVICTION, ~~7~~ any court having jurisdiction to try offenses  
19 against the Territory of Alaska, when satisfied that the ends  
20 of justice and the best interest of the public as well as the  
21 defendant will be served thereby, may suspend the imposition  
22 or execution ~~OR BALANCE~~ of the sentence and place the  
23 defendant on probation for such period and upon such terms and  
24 conditions as the court deems best. ~~THIS~~ AUTHORITY IS IN  
25 ADDITION TO THE AUTHORITY OF THE COURT UNDER THE FEDERAL RULES  
26 OF CRIMINAL PROCEDURE TO CORRECT OR REDUCE ANY SENTENCES. ~~7~~

27 Probation may be granted whether the offense is punish-  
28 able by fine or imprisonment or both. If an offense is  
29 punishable by both fine and imprisonment, the court may impose

1 a fine and place the defendant on probation as to imprison-  
2 ment. Probation may be limited to one or more counts or  
3 indictments, but, in the absence of express limitation,  
4 shall extend to the entire sentence and judgment.

5 The court may revoke or modify any condition of  
6 probation, or may change the period of probation.

7 The period of probation, together with any extension  
8 thereof, shall not exceed five years.

9 While on probation and among the conditions thereof,  
10 the defendant may be required:

11 (a) to pay a fine in one or several sums;

12 (b) to make restitution or reparation to aggrieved  
13 parties for actual damages or loss caused by the offense  
14 for which conviction was had; and

15 (c) to provide for the support of any persons, for  
16 whose support he is legally responsible.

17 The defendant's liability for any fine or other punish-  
18 ment imposed as to which probation is granted, shall be fully  
19 discharged by the fulfillment of the terms and conditions  
20 of probation.