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IN THE SENATE

BY SENATOR MCNABB

SENATE BILL NO. 142

IN THE LEGISLATURE OF THE STATE OF ALASKA
SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to jury trials in district magistrate courts; amending Ch. 184, SLA 1959, and providing for an effective date."

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

Section 1. Ch. 184, SLA 1959, is amended by adding a new Sec. 5 a. to read:

Sec. 5 a. JURY TRIAL. In all criminal proceedings in the district magistrate court, including violations of municipal ordinances, in which the accused may be punished by fine or imprisonment, or both, the accused shall have the right to a jury trial. The trial jury in the magistrate courts shall consist of six jurors. If the accused who demanded a jury trial is found guilty, the court may in its discretion assess costs against him. If the accused is not found guilty, the court may in its discretion assess costs against the state or municipality which commenced the proceedings. Costs assessed under this section include the expense of summoning and remunerating jurors and all other necessary expenditures incident to the jury trial.

Sec. 2. This Act does not apply to criminal proceedings commenced before the effective date of this Act.

Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.