

1 IN THE HOUSE BY MESSRS. TAYLOR AND STEVENS

2 HOUSE BILL NO. 40

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act requiring the provision of pre-  
7 sentence probation reports to defense  
8 counsel."

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

10 \* Section 1. AS 33.05.050 is amended to read:

11 Sec. 33.05.050. REPORT OF PROBATION OFFICER. (a)

12 When directed by the court, the probation officer shall  
13 report to the court, with a statement of the conduct of  
14 the probationer while on probation. The court may then  
15 discharge the probationer from further supervision and  
16 may terminate the proceedings against him, or may  
17 extend the probation, as shall seem advisable.

18 (b) If a probation report is ordered by the court  
19 before a convicted person is sentenced, the probation officer  
20 shall provide defense counsel with a copy of the report at  
21 least three days before sentence is imposed and in no event  
22 later than the report is provided the court, unless defense  
23 counsel waives the three-day period and the requirement that  
24 the report be furnished him no later than it is furnished the  
25 court. Such waiver shall be made in open court. Upon re-  
26 quest of defense counsel, made prior to the imposition of  
27 sentence, the court shall defer the time for imposing sentence  
28 for a period not exceeding 10 days; and the court, in its  
29 discretion, may defer the time for imposing sentence for a

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longer period.