

Introduced: 3/28/67
Referred: Judiciary

1 IN THE HOUSE

BY STEVENS

2 HOUSE BILL NO. 322

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to stays of imprisonment."

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

8 * Section 1. AS 11.05.040 is amended to read:

9 Sec. 11.05.040. COMPUTATION OF TERM OF IMPRISONMENT AND STAY.

10 (a) When a person is sentenced to imprisonment, his term of confine-
11 ment begins from the day of his sentence. A person who is sentenced
12 shall receive credit toward service of his sentence for time spent in
13 custody pending trial or sentencing, or appeal, if that detention was
14 in connection with the offense for which sentence was imposed. The
15 time during which the person is voluntarily absent from the penitentiary,
16 reformatory, jail, or from the custody of an officer after his sentence,
17 shall not be estimated or counted as a part of the term for which he
18 was sentenced.

19 (b) A sentence of imprisonment shall be stayed if an appeal is
20 taken and the defendant is admitted to bail. If the defendant is not
21 admitted to bail, the court may authorize the commissioner of health
22 and welfare or his designee to designate the facility in which the
23 defendant shall be detained pending appeal or admission to bail.

24 * Sec. 2. This Act modifies Rule 20(a)(1) of the Supreme Court Rules
25 and Rule 2(d) of the District Court Criminal Rules by authorizing the
26 designation of the defendant's facility when the defendant is not admitted
27 to bail.