

1 IN THE SENATE

BY THOMAS

2 SENATE BILL NO. 25

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the chemical analysis of blood to  
7 determine alcohol content."

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

9 \* Section 1. AS 28.35.033(a)(2) is amended to read:

10 (2) If there was in excess of 0.05 per cent but less than  
11 0.08 [0.10] per cent by weight of alcohol in the person's blood, that  
12 fact does not give rise to any presumption that the person was or was  
13 not under the influence of intoxicating liquor, but that fact may be  
14 considered with other competent evidence in determining whether the  
15 person was under the influence of intoxicating liquor.

16 \* Sec. 2. AS 28.35.033(a)(3) is amended to read:

17 (3) If there was 0.08 [0.10] per cent or more by weight of  
18 alcohol in the person's blood, it shall be presumed that the person  
19 was under the influence of intoxicating liquor.

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