

Introduced: 1/20/73
Referred: Judiciary

1 IN THE HOUSE

BY OSE

2 CS HOUSE BILL NO. 105
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act requiring mandatory imprisonment for the
7 conviction of more than one felony; and changing
8 Rule 35, Rules of Criminal Procedure."

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

10 * Section 1. AS 12.55.080 is amended to read:

11 Sec. 12.55.080. SUSPENSION OF SENTENCE AND PROBATION. Except
12 in cases where a person is convicted of more than one felony at dif-
13 ferent times as specified in sec. 50 of this chapter, upon [UPON]
14 entering a judgment of conviction of a crime, or at any time within
15 60 days from the date of entry of that judgment of conviction, a court,
16 when satisfied that the ends of justice and the best interest of the
17 public as well as the defendant will be served thereby, may suspend
18 the imposition or execution or balance of the sentence or a portion
19 thereof, and place the defendant on probation for a period and upon
20 the terms and conditions as the court considers best.

21 * Sec. 2. AS 12.55.085(a) is amended to read:

22 (a) Except in cases where a person is convicted of more
23 than one felony at different times as specified in sec. 50 of this
24 chapter, if [IF] it appears that there are circumstances in mitigation
25 of the punishment, or that the ends of justice will be served, the
26 court may, in its discretion, suspend the imposition of sentence and
27 may direct that the suspension continue for a period of time, not
28 exceeding the maximum term of sentence which may be imposed, and upon
29 the terms and conditions which the court determines, and shall place

1 the person on probation, under the charge and supervision of the
2 probation officer of the court during the suspension.

* Sec. 3. Secs. 1 and 2 of this Act have the effect of changing
Rule 35, Rules of Criminal Procedure, by prohibiting a court from sus-
5 pending a term of imprisonment in cases where a person is convicted of
6 more than one felony at different times as specified in AS 12.55.050.