

Introduced: 1/29/74
Referred: Judiciary

1 IN THE HOUSE

BY FISCHER, HACKNEY AND
HUBER

2 HOUSE BILL NO. 512

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the imposition of minimum penalties
7 for the conviction of certain crimes; and providing
8 for an effective date."

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

10 * Section 1. AS 11.05.150 is amended to read:

11 Sec. 11.05.150. IMPOSING LESS THAN PRESCRIBED PENALTY. Except
12 in a case of murder, [OR] rape, use of or carrying a firearm during the
13 commission of offenses specified in AS 11.15.295, possession or sale
14 of narcotic drugs (AS 17.10.200), or conviction under AS 12.55.050
15 (habitual criminal), the court may, upon conviction, when in its
16 opinion the facts and circumstances make the minimum penalty provided
17 in this title manifestly too severe, impose a lesser penalty, either
18 of a fine or imprisonment or both. When less than the minimum penalty
19 is imposed, the court shall set out the reasons for its action on the
20 record in the case.

21 * Sec. 2. This Act takes effect on the day after its passage and approval
22 or on the day it becomes law without approval.
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