

Introduced: 2/5/74
Referred: Judiciary

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL BY
REQUEST OF THE INTERIM COMMITTEE
ON CORRECTIONS AND PROBATION

1 IN THE HOUSE

2 HOUSE BILL NO. 562

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 increased punishment for prior
7 criminal conviction."

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

9 * Section 1. AS 12.55.060(a) is amended to read:

10 (a) Before conviction or while sentence is effective, if it
11 appears that a person convicted of a crime in this state has previously
12 been convicted and has not been charged under secs. 40 and 50 of this
13 chapter, the district attorney shall [MAY] file an information in the
14 superior court accusing that person of the previous conviction or con-
15 victions. The court shall cause that person, whether confined in
16 prison or otherwise, to be brought before it and shall inform him
17 of the allegations contained in the information and of his right to be
18 tried as to the truth of the allegations, and shall require the
19 accused person to say whether or not he is the same person as charged
20 in the information. If the accused acknowledges or confesses in open
21 court, after being cautioned as to his rights, that he was previously
22 convicted of the crimes charged, or any of them, the court shall
23 sentence him as provided in secs. 40 or 50 of this chapter, and shall
24 vacate the previous sentence, deducting from the new sentence all time
25 actually served on the sentence so vacated. If the accused says he is
26 not the same person, or refuses to answer, or remains silent, the court
27 shall examine the charge of previous convictions, which shall be the
28 only matter in issue.

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