

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. 565

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 use of firearms during the
7 commission of certain crimes; and changing Rule 35,
8 Rules of Criminal Procedure."

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

10 * Section 1. AS 11.15.295 is amended to read:

11 Sec. 11.15.295. USE OF FIREARMS DURING THE COMMISSION OF CERTAIN
12 CRIMES. A person who uses or carries a firearm during the commission
13 of a robbery, assault, murder, rape, burglary, or kidnapping is guilty
14 of a felony and upon conviction for a first offense is punishable by
15 imprisonment for not less than 10 years. Upon conviction for a second
16 or subsequent offense in violation of this section, the offender shall
17 be imprisoned for not less than 25 years. The term of imprisonment
18 imposed under this section is not subject to reduction of sentence as
19 provided in AS 11.05.150 or suspension of sentence as provided in
20 AS 12.55.080 - 12.55.085.

21 * Sec. 2. Section 1 of this Act has the effect of changing Rule 35,
22 Rules of Criminal Procedure, by excluding the term of imprisonment for the
23 offense specified in AS 11.15.295 from being subject to reduction or
24 suspension by the court.