

Introduced: 2/1/74
Referred: Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 313 *am*

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 bail; and providing for an
7 effective date."

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

9 * Section 1. AS 12.30.020(a) is amended to read:

10 (a) A person charged with an offense shall, at his first
11 appearance before a judicial officer, be ordered released pending
12 trial on his personal recognizance or upon the execution of an
13 unsecured appearance bond in an amount specified by the judicial
14 officer unless the officer determines that the release of the person
15 will not reasonably assure the appearance of the person as required,
16 or will pose a danger to other persons and the community. On motion
17 of the prosecuting attorney, the judicial officer may allow the
18 prosecuting attorney up to 48 hours to demonstrate that release of
19 the person on his personal recognizance or upon the execution of
20 an unsecured appearance bond will not reasonably assure the
21 appearance of the person, or will pose a danger to other persons
22 and the community.

23 * Sec. 2. AS 12.30.020(f) is amended to read:

24 (f) A person who remains in custody 48 [24] hours after his
25 appearance before a judicial officer because of his inability to meet
26 the conditions of release shall, upon application, be entitled to have
27 the conditions reviewed by the judicial officer who imposed them. If
28 the judicial officer who imposed the conditions of release is not
29 available, any other judicial officer in the district may review the

1 conditions. If the conditions are not amended and the person remains
2 in custody, the judicial officer shall set out in writing the reasons
3 for requiring the conditions imposed.

4 * Sec. 3. This Act takes effect on the day after its passage and
5 approval or on the day it becomes law without approval.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29