

Original sponsor: Bradley and Huber

Offered: 5/15/75
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 202
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to malicious mischief and destruction
7 of property."

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

9 * Section 1. AS 11.20 is amended by adding a new section to read:

10 Sec. 11.20.515. MALICIOUS MISCHIEF AND DESTRUCTION OF PROPERTY.

11 (a) A person who wilfully or maliciously destroys, defaces, injures or
12 exposes to injury real or personal property not his own, is guilty of
13 malicious destruction of property. Upon conviction, if the property
14 harm exceeds \$250, a person guilty of malicious destruction of property
15 is punishable by imprisonment for not less than one year nor more than 10
16 years. If the property harm does not exceed \$250, the person, upon
17 conviction, is punishable by imprisonment for not less than one month
18 nor more than one year, or by a fine of not more than \$1,000, or by
19 both. In addition, the court may order restitution by the defendant to
20 the owner of the injured property for the amount of the harm. Restitu-
21 tion does not bar a civil action for the injury suffered through wilful
22 or malicious action under this subsection, but the amount of money paid
23 under the order of restitution shall be credited against a judgment
24 resulting from the civil action.

25 (b) A person who wilfully interferes with or tampers with property
26 not his own, with the purpose to harm the property of another person, or
27 with reckless disregard for the risk of harm to or loss of the property,
28 is guilty of malicious mischief and, upon conviction, is punishable by
29 imprisonment for not more than one year, or by a fine of not less than

1 \$100 nor more than \$5,000, or by both.

2 (c) This section does not apply to secs. 520 - 525, 575 and 670 of
3 this chapter.

4 * Sec. 2. AS 11.20.520 is amended to read:

5 Sec. 11.20.520. MALICIOUS OR WANTON INJURY TO ANIMALS [OR OTHER
6 PERSONALITY]. A person who maliciously or wantonly kills, wounds, dis-
7 figures, or injures any animal the property of another, or wilfully
8 administers poison to the animal, or maliciously exposes poison with
9 intent that it be taken by the animal, [OR WHO MALICIOUSLY OR WANTONLY,
10 BY MEANS NOT SPECIFIED IN THIS CHAPTER, DESTROYS OR INJURES PERSONAL
11 PROPERTY OF ANOTHER,] upon conviction, is punishable by imprisonment [IN
12 THE PENITENTIARY] for not less than six months nor more than three
13 years, or by imprisonment in a jail for not less than three months nor
14 more than one year or by a fine of not less than \$50 nor more than
15 \$1,000.

16 * Sec. 3. AS 11.20.530, 11.20.550, 11.20.560, 11.20.570, 11.20.580, and
17 11.20.620 are repealed.