

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 am H

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 more than 10 years, or a fine of
16 up to \$1,000 or by both. If the property harm does not exceed \$250, the
17 person, upon conviction, is punishable by imprisonment for not more
18 than one year, or by a fine of not more than \$1,000, or by both. In
19 addition, the court may order restitution by the defendant to the owner
20 of the injured property for the amount of the harm. Restitution does
21 not bar a civil action for the injury suffered through wilful or mali-
22 cious action under this subsection, but the amount of money paid under
23 the order of restitution shall be credited against any judgment resulting
24 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 AS 11.20.520 is repealed and re-enacted to read:

5 Sec. 11.20.520. MALICIOUS OR WANTON INJURY TO ANIMALS. A person
6 who maliciously or wantonly kills, wounds, disfigures, or injures any
7 animal which is the property of another, or the state, or wilfully
8 administers poison to any animal, or maliciously exposes poison with
9 intent that it be taken by any animal, upon conviction is punishable
10 by imprisonment for not less than one month nor more than one year or by
11 a fine of not less than \$50 nor more than \$1,000, or by both.

12 * Sec. 3. AS 11.20.530, 11.20.550, 11.20.560, 11.20.570, 11.20.580, and
13 11.20.620 are repealed.