

Introduced: 4/7/77
Referred: Judiciary

1 IN THE SENATE

BY COLLETTA BY REQUEST

2 SENATE BILL NO. 313 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to penalties and liabilities for con-
7 viction of the crime of concealment of merchandise."

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

9 * Section 1. AS 11.20.276 is repealed and re-enacted to read:

10 Sec. 11.20.276. SUBSEQUENT CONVICTION FOR CONCEALMENT. (a) A
11 person found guilty of a second offense of wilful concealment of goods
12 as defined in sec. 275 of this chapter is guilty of a misdemeanor and,
13 upon conviction, is punishable by imprisonment for 30 days.

14 (b) A person found guilty of a third or subsequent offense of wil-
15 ful concealment of goods as defined in sec. 275 of this chapter is guilty
16 of a felony and, upon conviction, is punishable by imprisonment for not
17 less than one year.

18 * Sec. 2. AS 09.65.110 is amended to read:

19 Sec. 09.65.110. CIVIL LIABILITY FOR CONCEALMENT OF MERCHANDISE. A
20 person who wilfully conceals goods or merchandise from a merchant's pre-
21 mises, and, if he is an unemancipated minor, his parents or legal guar-
22 dians, in addition to any criminal penalty provided by law, are [IS]
23 liable in a civil action to the merchant for damages of not less than
24 \$100 or more than \$250 [,] or, in the case of goods or merchandise hav-
25 ing a retail value in excess of \$250, for the full retail value of the
26 goods or merchandise, together with [. IN ADDITION, THE PERSON VIOLAT-
27 ING THIS SECTION IS LIABLE FOR] all costs and reasonable attorney fees
28 involved in the action. The provisions of this section do apply to a
29 minor committed to the custody of the Department of Health and

1 Social Services.

2 * Sec. 3. AS 09.65.110 is amended by adding a new subsection to read:

3 (b) In this section, "unemancipated minor" means a minor who is
4 not living apart from his parents or legal guardians and who is not
5 managing his own financial affairs.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29