

Introduced: 2/10/78
Referred: Judiciary

1 IN THE SENATE

BY ZIEGLER AND HUBER

2 *HCS CS* SENATE BILL NO. 488 *AM H*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring money received by criminals as a
7 result of the commission of crime to be available for
8 the victims of the crime.

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

10 *Section 1. AS 18.67 is amended by adding a new section to read:

11 Sec. 18.67.165. DISTRIBUTION OF MONEY RECEIVED AS A RESULT OF THE
12 COMMISSION OF CRIME. (a) Every person contracting with a person, or
13 the representative or assignee of a person, accused of a crime in this
14 state, with respect to the re-enactment of that crime, by way of a
15 movie, book, magazine article, radio or television presentation, live
16 entertainment of any kind, or from the expression of that person's
17 thoughts, feelings, opinions or emotions regarding the crime, shall pay
18 to the board any money which would otherwise by terms of the contract,
19 be owing to the person accused or his representatives. The board shall
20 deposit the money in an escrow account for the benefit of and payable to
21 any victim of a crime committed by the person, provided that the person
22 accused is convicted of the crime and the victim, within five years of
23 the date of the crime, brings a civil action in a court of competent
24 jurisdiction and recovers a money judgment against the person accused or
25 his representatives.

26 (b) The board, at least once every six months for five years from
27 the date it receives the money, shall have published a legal notice in
28 newspapers of general circulation in each judicial district of the state
29 advising victims that the escrow money is available to satisfy money

1 judgments under this section.

2 (c) Upon disposition of charges favorable to a person accused of
3 committing a crime, or upon a showing by the person that five years have
4 elapsed from the establishment of the escrow account and no actions are
5 pending against that person under this section, the board shall immedi-
6 ately pay any money in the escrow account to that person.

7 (d) If an escrow account is established under this section, no
8 otherwise applicable statute of limitation on the time within which
9 civil action may be brought bars action by a victim of a crime committed
10 by the person accused or convicted of the crime as to a claim resulting
11 from the crime until five years has elapsed from the time the escrow
12 account was established.

13 (e) The board shall make payments from an escrow account to any
14 person accused of crime upon a court order after a showing by that
15 person that the money will be used for the exclusive purpose of retain-
16 ing legal representation at any stage of the proceedings against that
17 person, including the appeals process.

18 (f) Any action taken by a person convicted of a crime to defeat
19 the purpose of this section is void as against the public policy of this
20 state.