

Introduced: 3/17/78  
Referred: Health, Education  
& Social Services and  
Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST

2 SENATE BILL NO. 551

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the rehabilitation of persons who  
7 commit criminal offenses as a result of alcohol pro-  
8 blems; and providing for an effective date."

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

10 \* Section 1. AS 12.55 is amended by adding a new section to read:

11 Sec. 12.55.072. ALCOHOL-RELATED OFFENSES. (a) When a court finds  
12 that the commission of an offense was the result of or caused by alcohol  
13 problems suffered by the person committing the offense, upon conviction  
14 for that offense and in addition to any other punishment adjudged by the  
15 court, the person convicted shall be sentenced to undertake for a term  
16 specified by the court that program of alcohol education or rehabilita-  
17 tion which the court, after consideration of any information compiled  
18 under (b) of this section, finds appropriate.

19 (b) Except as prohibited by federal law or regulation, every pro-  
20 vider of treatment programs to which persons are ordered under (a) of  
21 this section shall supply the Alaska court system with the information  
22 regarding the condition and treatment of those persons as the supreme  
23 court may require by rule. Information compiled under this subsection  
24 is confidential and may only be used by a court in sentencing a person  
25 convicted under (a) of this section, or by an officer of the court in  
26 preparing a presentence report for the use of the court in sentencing a  
27 person convicted under (a) of this section.

28 (c) The imposition or execution of a sentence to a term of alcohol  
29 education or rehabilitation required to be imposed under this section

1 may not be suspended and probation or parole may not be granted until  
2 the term of rehabilitation or education has been completed. AS 12.55.-  
3 080 and 12.55.085 are inapplicable to the extent that they are incon-  
4 sistent with this subsection.

5 \* Sec. 2. AS 47.37.210(a) is amended to read:

6 (a) Except as required by AS 12.55.072(b), the [THE] registration  
7 and other records of treatment facilities shall remain confidential and  
8 are privileged to the patient.

9 \* Sec. 3. This Act is inapplicable to criminal proceedings initiated  
10 before January 1, 1979.

11 \* Sec. 4. This Act takes effect January 1, 1979.