

Introduced: 5/1/78
Referred: Judiciary

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 610

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 admissibility of refusal to take
7 breathalyzer tests."

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

9 * Section 1. AS 28.35.032(a) is amended to read:

10 (a) If a person under arrest refuses the request of a law enforce-
11 ment officer to submit to a chemical test of his breath as provided in
12 sec. 31 of this chapter, after being advised by the officer that his
13 refusal will result in the suspension, denial or revocation of his li-
14 cense and that such refusal may be used against him in a criminal pro-
15 ceeding, a chemical test shall not be given.

16 * Sec. 2. AS 28.35.032 is amended by adding a new subsection to read:

17 (e) Refusal of a person to submit to a chemical test of his breath
18 as provided in sec. 31 of this chapter, may be admitted as evidence of
19 guilt of violation of sec. 30 of this chapter.
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