

Introduced: 1/18/80
Referred: Judiciary

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 567

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public drunkenness and emergency
7 treatment of intoxicated persons."

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

9 * Section 1. AS 47.37.010 is amended to read:

10 Sec. 47.37.010. DECLARATION OF POLICY. It is the policy of the
11 state that alcoholics and intoxicated persons [SHOULD NOT BE CRIMINALLY
12 PROSECUTED FOR THEIR CONSUMPTION OF ALCOHOLIC BEVERAGES AND THAT THEY]
13 should be afforded a continuum of treatment so they may lead normal
14 lives as productive members of society; however, nothing in this chapter
15 is inconsistent with the criminal prosecution of public drunkenness.

16 * Sec. 2. AS 11.66 is amended by adding a new section to read:

17 ARTICLE 3. PUBLIC DRUNKENNESS.

18 Sec. 11.66.282. PUBLIC DRUNKENNESS. (a) A person commits the
19 crime of public drunkenness if he is intoxicated in a private place, not
20 his own property or his usual place of abode, or in a public place, and

21 (1) is in immediate danger of loss of life or limb;

22 (2) insults, taunts, or challenges another person in a manner
23 likely to provoke an immediate violent response;

24 (3) makes unreasonably loud noise; or

25 (4) subjects another to offensive physical contact.

26 (b) As used in this section "intoxicated" means a person whose
27 mental or physical functioning is substantially impaired as the result
28 of the use of alcohol.

29 (c) Public drunkenness is a class B misdemeanor.

1 * Sec. 3. AS 47.37.170 is repealed.

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