

Introduced: 2/18/80
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY MEEKINS

2 HOUSE BILL NO. 831

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 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 AS 28.35.031, after being advised by the officer that his refusal will
13 result in the suspension, denial or revocation of his license and that
14 the refusal may be used against him in a criminal proceeding, a chemical
15 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 under (a) of this section may be admitted as evidence of guilt of viola-
19 tion of AS 28.35.030.
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