

Original sponsor: Ziegler

Offered: 3/30/79
Referred: Rules

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 141
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to sentencing of criminal defendants;
7 and providing for an effective date."

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

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

10 Sec. 12.55.086. IMPRISONMENT AS A CONDITION OF SUSPENDED IMPOSI-
11 TION OF SENTENCE. (a) When the imposition of sentence is suspended
12 under AS 12.55.085, the court may require, as a special condition of
13 probation, that the defendant serve a definite term of continuous or
14 periodic imprisonment, not to exceed the maximum term of imprisonment
15 that could have been imposed.

16 (b) A defendant imprisoned under this section is entitled to a
17 deduction from his term of imprisonment for good conduct under AS 33.-
18 20.010. Unless otherwise specified in the order of suspension of im-
19 position of sentence, a defendant imprisoned under this section is eli-
20 gible for parole if his term of imprisonment exceeds one year and is
21 eligible for any work furlough, rehabilitation furlough, or similar
22 program available to other state prisoners.

23 (c) If probation is revoked and the defendant is sentenced to
24 imprisonment, he shall receive credit for time served under this sec-
25 tion. Deductions for good conduct under AS 33.20.010 do not constitute
26 "time served".

27 * Sec. 2. AS 12.55.085(c) is amended to read:

28 (c) Upon the revocation and termination of the probation, the
29 court may pronounce sentence at any time after the suspension of the

1 sentence within the longest period for which the defendant might have
2 been sentenced, subject to the limitation specified in AS 12.55.086(c).

3 * Sec. 3. AS 33.05.070(b) is amended to read:

4 (b) As speedily as possible after arrest the probationer shall be
5 taken before the court for the district having jurisdiction over him.
6 Thereupon the court may revoke the probation and require him to serve
7 the sentence imposed, or any lesser sentence, and, if imposition of
8 sentence was suspended, may impose any sentence which might originally
9 have been imposed, subject to the limitation specified in AS 12.55.-
10 086(c).

11 * Sec. 4. AS 33.05.080(1) is amended to read:

12 (1) "probation", except as authorized under AS 12.55.086, is
13 a procedure under which a defendant, found guilty of a crime upon ver-
14 dict or plea, is released by the superior court subject to conditions
15 imposed by the court and subject to the supervision of the probation
16 service as [HEREINAFTER] provided in this chapter;

17 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
18 070(c).

19
20
21
22
23
24
25
26
27
28
29