

Introduced: 2/16/82  
Referred: Judiciary

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 845

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act prohibiting setting aside of a conviction and  
7 issuance of a certificate of discharge when imposition  
8 of sentence for certain violent crimes is suspended."

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

10 \* Section 1. AS 12.55.085(e) is amended to read:

11 (e) Except as provided in (f) of this section, upon [UPON] the  
12 discharge by the court without imposition of sentence, the court may set  
13 aside the conviction and issue to the person a certificate to that  
14 effect.

15 \* Sec. 2. AS 12.55.085 is amended by adding a new subsection to read:

16 (f) The court may not set aside the conviction of a person dis-  
17 charged without imposition of sentence if the crime for which the person  
18 was convicted is

- 19 (1) murder in the first degree (AS 11.41.100);  
20 (2) murder in the second degree (AS 11.41.110);  
21 (3) manslaughter (AS 11.41.120);  
22 (4) criminally negligent homicide (AS 11.41.130);  
23 (5) assault in the first degree (AS 11.41.200);  
24 (6) assault in the second degree (AS 11.41.210);  
25 (7) assault in the third degree (AS 11.41.220);  
26 (8) kidnapping (AS 11.41.300);  
27 (9) sexual assault in the first degree (AS 11.41.410);  
28 (10) sexual assault in the second degree (AS 11.41.420);  
29 (11) robbery in the first degree (AS 11.41.500);

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- (12) robbery in the second degree (AS 11.41.510);
- (13) burglary in the first degree (AS 11.46.300);
- (14) arson in the first degree (AS 11.46.400);
- (15) escape in the first degree (AS 11.56.300); or
- (16) riot (AS 11.61.100).