

Introduced: 1/24/83
Referred: Judiciary and Finance

1 IN THE HOUSE

BY PESTINGER, FURNACE, UEHLING,
FLOOD, BARNES AND BUSSELL

2

HOUSE BILL NO. 109

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to criminal prosecution of minors."

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

8 * Section 1. AS 12.55.015 is amended by adding a new subsection to
9 read:

10 (e) If the court sentences a defendant to a term of imprisonment
11 and the defendant is a minor over whom children's court jurisdiction
12 is waived under AS 47.10.060, the court shall

13 (1) order that the defendant be confined in an institution
14 designated by the Department of Health and Social Services for offend-
15 ers under 18 years of age; and

16 (2) order that the defendant be transferred to an adult
17 correctional facility when the defendant reaches 19 years of age if
18 more than one year then remains of the defendant's term of imprison-
19 ment.

20 * Sec. 2. AS 47.10.060(a) is repealed and reenacted to read:

21 (a) The court shall order a case closed and, subject to the pro-
22 visions of AS 12.55.015(d), the minor shall be prosecuted as if the
23 minor were an adult if the court finds at a hearing on a petition

24 (1) that the minor was 16 years of age or older at the time
25 of the offense and that there is probable cause to believe that the
26 minor has committed an unclassified felony or a class A felony; or

27 (2) that the minor is not amenable to treatment under this
28 chapter and there is probable cause to believe that the minor is
29 delinquent.