

Introduced: 1/9/84
Referred: Resources, Judiciary
and Finance

1 IN THE HOUSE

BY HAYES AND LISKA

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HOUSE BILL NO. 479

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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THIRTEENTH LEGISLATURE - SECOND SESSION

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A BILL

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For an Act entitled: "An Act relating to the issuance of citations for the
7 violation of certain offenses within state park and
8 recreational facilities."

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

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* Section 1. AS 41.21 is amended by adding a new section to read:

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Sec. 41.21.960. FORM AND ISSUANCE OF CITATION. (a) When a

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person is arrested or cited for the commission of an offense that is a
13 misdemeanor committed within a park or recreational facility subject
14 to the department's supervision, the arresting or citing officer
15 shall, except when otherwise required by law or the immediate circum-
16 stances, issue a citation to the person arrested or cited. The person
17 receiving the citation may not be required to endorse the citation.

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(b) The state supreme court shall determine by rule or order

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those offenses that are amenable to disposition without court appear-
20 ance and shall establish a schedule of bail amounts, not to exceed
21 fines prescribed by law, for each offense. If the offense for which
22 the citation is issued is one that may be disposed of without court
23 appearance, the citing officer shall write on the citation the amount
24 of bail applicable to the cited offense.

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(c) A person cited for an offense for which a bail amount has

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been established under (b) of this section, may, within 15 days from
27 the date of the citation, mail or personally deliver to the clerk of
28 the court having jurisdiction over the place where the offense oc-
29 curred

1 (1) the amount of bail indicated on the citation for that
2 offense; and

3 (2) a copy of the citation signed by the offender indicat-
4 ing the offender's waiver of appearance, plea of no contest, and
5 direction to forfeit the bail and items seized from the offender.

6 (d) When bail has been forfeited under this section, a judgment
7 of conviction shall be entered. Bail forfeited under this section and
8 the forfeit of items seized from the offender is a complete satisfac-
9 tion for the offense, and the offender shall be given a receipt stat-
10 ing that fact.

11 (e) If the person cited fails to pay the bail amount or appear
12 in court as required, the citation shall be considered a summons as
13 for a charge of a misdemeanor and the offender shall be proceeded
14 against in the manner prescribed by law. However, the maximum penalty
15 that may be imposed for the original offense may not exceed the bail
16 amount for that offense set out in the schedule of bail amounts as
17 determined by the supreme court under (b) of this section.