

Offered: 4/12/84
Referred: Rules

Original sponsor: Judiciary Committee

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 539 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to community work as part of a
7 criminal sentence."

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

9 * Section 1. AS 12.55.055(a) is amended to read:

10 (a) The court may order a defendant convicted of an offense to
11 perform community work as a condition of probation, a suspended sen-
12 tence or suspended imposition of sentence, or in addition to any fine
13 or restitution ordered. If the defendant is [ALSO] sentenced to
14 imprisonment, the court may recommend to the Department of Corrections
15 that the defendant perform community work.

16 * Sec. 2. AS 12.55.055 is amended by adding new subsections to read:

17 (c) The court may offer a defendant convicted of an offense the
18 option of performing community work in lieu of a fine or a portion of
19 a fine if the court finds the defendant is unable to pay the fine.
20 The value of community work in lieu of a fine is \$5.00 per hour.

21 (d) The court may offer a defendant convicted of an offense the
22 option of performing community work in lieu of a sentence of imprison-
23 ment. Substitution of community work shall be at a rate of eight
24 hours for each day of imprisonment. A court may not offer substi-
25 tution of community work for any mandatory minimum period of imprison-
26 ment or for any period of a presumptive term of imprisonment.

27 (e) In sentencing a defendant to perform community work the
28 court shall order the performance of community work in accordance with
29 the following schedule:

1 (1) not less than eight hours or more than 20 hours for an
2 offense classified as a violation or an infraction;

3 (2) not less than 15 hours or more than 32 hours for a
4 class B misdemeanor or for an offense that is classified as a misde-
5 meanor without regard to class;

6 (3) not less than 32 hours or more than 60 hours for
7 a class A misdemeanor;

8 (4) not less than 90 hours or more than 150 hours for a
9 class C felony or for an offense that is classified as a felony with-
10 out regard to class;

11 (5) not less than 200 hours or more than 500 hours for a
12 class B felony;

13 (6) not less than 500 hours or more than 1,000 hours for a
14 class A felony;

15 (7) not less than 1,000 hours for an unclassified felony.

16 (f) Medical benefits for an individual injured while performing
17 community work at the direction of the state shall be assumed by the
18 state to the extent not covered by collateral sources. When the state
19 pays medical benefits under this subsection, a claim for medical
20 expenses by the injured individual against a third party is subrogated
21 to the state.

22 * Sec. 3. AS 12.55.100(a) is amended to read:

23 (a) While on probation and among the conditions of probation,
24 the defendant may be required

25 (1) to pay a fine in one or several sums;

26 (2) to make restitution or reparation to aggrieved parties
27 for actual damages or loss caused by the crime for which conviction
28 was had;

29 (3) to provide for the support of any persons for whose

1 support the defendant [HE] is legally responsible; and
2 (4) to perform community work in accordance with AS 12.55.-
3 055.
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