

Introduced: 1/25/85
Referred: Health, Education & Social Services
and Judiciary

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 98

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act related to the effects of criminal convic-
7 tions."

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

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

10 (e) Upon the discharge by the court without imposition of sen-
11 tence, the court may set aside the conviction and issue to the person
12 a certificate to that effect. However, the record of a conviction set
13 aside under this subsection may not be sealed or expunged.

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

15 (f) A conviction set aside under (e) of this section is a prior
16 conviction under AS 12.55.145 and may also be used

17 (1) as a factor in aggravation under AS 12.55.155(c)(8);

18 (2) in a classification or parole determination proceeding
19 under AS 33; and

20 (3) in a licensing proceeding when good character is a
21 condition of obtaining a license.

22 * Sec. 3. AS 33.20 is amended by adding a new section to read:

23 Sec. 33.20.090. EFFECTS OF A PARDON. (a) Except as provided in
24 (b) of this section, a conviction pardoned under AS 33.20.070 may only
25 be used

26 (1) as a factor in aggravation under AS 12.55.155(c)(8);

27 (2) in a classification or parole determination proceeding
28 under AS 33; and

29 (3) in a licensing proceeding when good character is a

1 condition of obtaining a license.

2 (b) Notwithstanding (a) of this section, in granting a pardon
3 the governor may expand or limit the purposes for which a pardoned
4 conviction may be used. Any expansion or limitation under this sub-
5 section must be specifically set out in the pardon.

6 (c) Unless otherwise provided for under (b) of this section, a
7 pardon does not result in the expunction of a criminal conviction.