

1 IN THE HOUSE BY LARSON AND MENARD

2 HOUSE BILL NO. 129

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to criminal fines."

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

8 \* Section 1. AS 12.55.035(a) is amended to read:

9 (a) Upon conviction of an offense, a defendant may be sentenced  
10 to pay a fine as authorized in this section or as otherwise authorized  
11 by law. In determining the amount and method of payment of a fine,  
12 the court shall take into account the financial resources of the  
13 defendant and the nature of the burden its payment will impose. The  
14 court may also take into account the reasonable costs incurred by the  
15 state in incarcerating the defendant. A [NO] defendant may not be  
16 imprisoned solely because of inability to pay a fine. A defendant's  
17 permanent fund dividend may be taken to satisfy a fine imposed under  
18 this section.

19 \* Sec. 2. AS 43.23.065(b) is amended to read:

20 (b) An exemption is not available under this section for perma-  
21 nent fund dividends taken to satisfy

22 (1) child support obligations required by court order or  
23 decision of the child support enforcement agency under AS 47.23.140 -  
24 47.23.220;

25 (2) court ordered restitution under AS 12.55.045 - 12.55.-  
26 051 or 12.55.100;

27 (3) a court ordered probation fee under AS 12.55.105; [OR]

28 (4) a debt owed by an eligible individual to an agency of  
29 the state, unless the debt is contested and an appeal is pending, or

1     **the time limit for filing an appeal has not expired; or**  
2             **(5) a court ordered fine under AS 12.55.035.**  
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