

1 IN THE HOUSE

BY HUDSON

2

HOUSE BILL NO. 265

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 community service by, and drug
7 and alcohol abuse treatment for, delinquent minors
8 who violate criminal laws relating to drugs and
9 alcohol."

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

11 * Section 1. FINDINGS. The legislature finds that

12 (1) an alarming number of minors try drugs or alcohol, or both,
13 at an early age;

14 (2) many juvenile arrests are drug related or alcohol related;

15 (3) chemical dependency is a disease characterized by the loss
16 of control over drug or alcohol use, and that related problems, such as
17 suicide and motor vehicle accidents, have become the major health problems
18 of teenagers;

19 (4) chemical dependency among minors causes serious legal,
20 health, and social problems for the entire state;

21 (5) the 15 to 20 percent of minors who drop out of school may be
22 in need of preventive education and treatment for chemical dependency;

23 (6) drug or alcohol use by minors frequently results in truancy,
24 poor scholastic performance, and impairment of short-term memory and atten-
25 tion abilities, and retards the social and emotional development of minors;

26 (7) the health and welfare of many minors in the state can be
27 improved if the problem of chemical dependency is properly addressed in the
28 disposition of delinquent minors in cases involving violation of criminal
29 laws relating to drugs and alcohol.

1 * Sec. 2. AS 47.10.080 is amended by adding new subsections to read:

2 (1) If the court finds that a minor is delinquent as a result of
3 violating a criminal law relating to the possession, use, or sale of a
4 controlled substance or an alcoholic beverage, the court shall, in
5 addition to an order issued under (b) of this section, issue an order:

6 (1) that a drug and alcohol screening and evaluation be
7 administered to the minor by a program approved by the office of
8 alcoholism and drug abuse, Department of Health and Social Services;

9 (2) that the minor follow the recommendations for treatment
10 made by the program;

11 (3) that the program monitor the minor's progress, and
12 report to the court; and

13 (4) specifying community service to be performed by the
14 minor for a period of

15 (A) 40 hours for a first offense involving a con-
16 trolled substance or alcoholic beverage;

17 (B) 80 hours for a second offense involving a con-
18 trolled substance or alcoholic beverage; or

19 (C) 120 hours for a third or subsequent offense in-
20 volving a controlled substance or alcoholic beverage.

21 (m) In this section,

22 (1) "alcoholic beverage" has the meaning given in AS 04.-
23 21.080;

24 (2) "controlled substance" has the meaning given in AS 11.-
25 71.900.