

1 IN THE HOUSE

BY ULMER

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SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 295

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - SECOND SESSION

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A BILL

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For an Act entitled: "An Act relating to criminal sentencing procedure;

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and amending Rule 32(a), Alaska Rules of Criminal

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Procedure."

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

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* Section 1. Rule 32(a) of the Alaska Rules of Criminal Procedure is

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amended to read:

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(a) SENTENCE. Sentence shall be imposed without unreasonable

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delay. Pending sentence the court may commit the defendant or con-

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tinue or alter bail as provided in Rule 41(a), Alaska Rules of Crimi-

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nal Procedure. Before imposing sentence the court shall afford the

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defendant an opportunity to make a statement in the defendant's [HIS]

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own behalf and to present any information in mitigation of punishment.

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Before imposing sentence for a felony for which the law requires the

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author of the presentence report to inquire of the victim as to the

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impact of the defendant's offense on the victim, the court shall also

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provide an opportunity for the victim to make a statement regarding

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the effects of the defendant's offense on the victim. The court need

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not rely on either statement for a determination for any of the facts

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of the case. If the defendant is being sentenced following a plea of

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guilty or no contest [NOLO CONTENDERE] the court shall question the

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defendant to ascertain that the defendant [HE] understood the meaning

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of the [HIS] plea, and that it was freely and voluntarily entered.