

Amended: 4/27/90
Offered: 4/20/90
Referred: Rules

6-1851J

Original sponsor(s): REP. DONLEY, Larson, Ulmer, Swackhammer, Barnes,
Boucher, Collins, Foster, Hudson, Menard, Miller, Zawacki, Sharp, Phillips,
Leman

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 488 (Judiciary) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act prohibiting the suspended imposition of sen-
7 tence for a person convicted of using a firearm in
8 the commission of a crime or convicted of assault,
9 reckless endangerment, second-degree robbery, extor-
10 tion, or coercion and having previously been convict-
11 ed of a violent crime."

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

13 * Section 1. AS 12.55.085(f) is amended to read:

14 (f) The court may not suspend the imposition of sentence of a
15 person who

16 (1) is convicted of a violation of AS 11.41.410 - 11.-
17 41.455;

18 (2) uses a firearm in the commission of the offense for
19 which the person is convicted; or

20 (3) is convicted of a violation of AS 11.41.210 - 11.41.250
21 or 11.41.510 - 11.41.530, and the person has, within the 10 years
22 preceding the commission of the offense for which the person has been
23 convicted, one or more prior convictions for a violation of AS 11.41
24 or for a violation of a law in this or another jurisdiction having
25 substantially similar elements to an offense defined in AS 11.41; for
26 the purposes of this paragraph, a person shall be considered to have a
27 prior conviction even if that conviction has been set aside under (e)
28 of this section or under the equivalent provision of the laws of
29 another jurisdiction.