

1 IN THE SENATE

BY ADAMS

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SENATE BILL NO. 133

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act repealing the authority of the Alaska Court System to impose and of state agencies to collect a probation fee; and providing for an effective date."

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

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* Section 1. AS 12.55.100(a) is amended to read:

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(a) While on probation and among the conditions of probation, the defendant may be required

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(1) to pay a fine in one or several sums;

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(2) to make restitution or reparation to aggrieved parties for actual damages or loss caused by the crime for which conviction was had;

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(3) to provide for the support of any persons for whose support the defendant is legally responsible; and

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(4) to perform community work in accordance with AS 12.-55.055 [; AND

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(5) TO PAY A PERIODIC PROBATION FEE AS PROVIDED IN AS 12.-55.105].

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* Sec. 2. AS 14.43.120(i) is amended to read:

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(i) If a loan is in default, the commission shall notify the borrower that repayment of the remaining balance is accelerated and due by sending the borrower a notice by registered or certified mail. The permanent fund dividend of a borrower may be taken under AS 43.-23.065(b)(3) [AS 43.23.065(b)(4)] to satisfy the balance due on the defaulted loan.

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1 * Sec. 3. AS 43.23.065(b) is amended to read:

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

4 (1) child support obligations required by court order or
5 decision of the child support enforcement agency under AS 47.23.140 -
6 47.23.220;

7 (2) court ordered restitution under AS 12.55.045 - 12.55.-
8 051 or 12.55.100; or

9 (3) [A COURT ORDERED PROBATION FEE UNDER AS 12.55.105; OR

10 (4)] a debt owed by an eligible individual to an agency of
11 the state, unless the debt is contested and an appeal is pending, or
12 the time limit for filing an appeal has not expired.

13 * Sec. 4. AS 12.55.105 is repealed.

14 * Sec. 5. APPLICABILITY. The provisions of this Act do not affect the
15 collection of probation fee payments ordered by a court under AS 12.55.105,
16 repealed by sec. 4 of this Act, after June 30, 1986, and before the effec-
17 tive date of this Act.

18 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).