

HOUSE BILL NO. 127
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KOTT

Introduced: 2/5/93
Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act setting presumptive terms of imprisonment for certain defendants
2 convicted of certain crimes who possessed a firearm during the commission of the
3 crime; setting a mandatory term of imprisonment for a defendant convicted of
4 assault in the fourth degree who possessed a firearm during the commission of
5 the offense."

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

7 * Section 1. AS 12.55.125(d) is amended to read:

8 (d) A defendant convicted of a class B felony may be sentenced to a definite
9 term of imprisonment of not more than 10 years, and shall be sentenced to the
10 following presumptive terms, subject to adjustment as provided in AS 12.55.155 -
11 12.55.175:

- 12 (1) if the offense is a second felony conviction, four years;
13 (2) if the offense is a third felony conviction, six years;

1 (3) if the offense is a first felony conviction, and the defendant
2 possessed a firearm during the commission of the offense or knowingly directed the
3 conduct constituting the offense at a uniformed or otherwise clearly identified peace
4 officer, fire fighter, correctional officer, emergency medical technician, paramedic,
5 ambulance attendant, or other emergency responder who was engaged in the
6 performance of official duties at the time of the offense, two years.

7 * Sec. 2. AS 12.55.125(e) is amended to read:

8 (e) A defendant convicted of a class C felony may be sentenced to a definite
9 term of imprisonment of not more than five years, and shall be sentenced to the
10 following presumptive terms, subject to adjustment as provided in AS 12.55.155 -
11 12.55.175:

12 (1) if the offense is a second felony conviction, two years;

13 (2) if the offense is a third felony conviction, three years;

14 (3) if the offense is a first felony conviction, and the defendant
15 possessed a firearm during the commission of the offense or knowingly directed the
16 conduct constituting the offense at a uniformed or otherwise clearly identified peace
17 officer, fire fighter, correctional officer, emergency medical technician, paramedic,
18 ambulance attendant, or other emergency responder who was engaged in the
19 performance of official duties at the time of the offense, one year;

20 (4) if the offense is a first felony conviction, and the defendant violated
21 AS 08.54.520(a)(7) - (10), one year.

22 * Sec. 3. AS 12.55.135(d) is amended to read:

23 (d) A defendant convicted of assault in the fourth degree (1) upon a uniformed
24 or otherwise clearly identified peace officer, fire fighter, correctional officer,
25 emergency medical technician, paramedic, ambulance attendant, or other emergency
26 responder who was engaged in the performance of official duties at the time of the
27 assault or (2) who possessed a firearm during the commission of the offense, shall
28 be sentenced to a minimum term of imprisonment of 30 days.