

CS FOR HOUSE BILL NO. 151(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/26/93
Referred: Rules

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to payment by indigent persons for services of representation
2 and court costs; providing for stays of enforcement of a judgment during the
3 pendency of an appeal of a conviction; allowing petitions for remission, reduction,
4 or deferral of judgment; permitting a court to remit or reduce a judgment or
5 to change the method of payment; and providing for an effective date."

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

7 * Section 1. AS 18.85.120(c) is amended to read:

8 (c) Upon the person's conviction, the court may enter a judgment that a person
9 for whom counsel is appointed pay for [THE NECESSARY] services [AND
10 FACILITIES] of representation and court costs. Enforcement of a judgment under
11 this subsection may be stayed by the trial court or the appellate court during the
12 pendency of an appeal of the person's conviction [AND COURT COSTS, BUT
13 EXECUTION OF THE JUDGMENT MAY NOT COMMENCE UNTIL THREE

1 **YEARS AFTER RELEASE OF THE DEFENDANT FROM INCARCERATION**
2 **UNLESS FOR GOOD CAUSE SHOWN, THE COURT CONSIDERS IT**
3 **APPROPRIATE TO EXECUTE EARLIER]. Upon a showing of financial hardship,**
4 **the court (1) shall allow a person subject to a judgment entered under this subsection**
5 **to make payments under a payment schedule; (2) shall allow a person subject to a**
6 **judgment entered under this subsection to petition the court at any time for**
7 **remission, reduction, or deferral of the unpaid portion of the judgment; and (3)**
8 **may remit or reduce the balance owing on the judgment or change the method**
9 **of payment if the payment would impose manifest hardship on the person or the**
10 **person's immediate family.** Payments made under this subsection shall be paid into
11 the state general fund.

12 * **Sec. 2. REPORT TO THE LEGISLATURE.** The Alaska Supreme Court shall report to
13 the legislature not later than February 1, 1996, on the imposition of judgments for payment
14 of services of representation and court costs provided by AS 18.85.120(c). At a minimum,
15 the report must contain information, compiled from the effective date of this Act, concerning
16 the number of cases in which judgments have been entered for the payment of services of
17 representation and court costs, the total amount of judgments for payment of services of
18 representation and court costs imposed, the amount collected, the number of cases in which
19 judgments have been remitted or reduced, and the number of cases where payment schedules
20 have been established.

21 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).