

HB

386

<target><bill>HB 386</bill><subject>HB
386</subject><comm>HFIN26</comm></target>

Representative Mike Hawker

Alaska State Legislature



House Bill 386 Sponsor Statement

Session:

State Capitol
Juneau, AK 99801
907 465-4949 direct
800 478-4950 toll free
907 465-4979 fax

Interim:

716 W 4th Avenue
Anchorage, AK 99501
907 269-0244 office
907 269-0248 fax

House District 32:

Eagle River
Anchorage
Rainbow
Indian
Bird
Girdwood
Portage
Whittier
Sunrise
Hope

"An Act establishing a uniform format and procedure for citations for certain violations of state law; relating to the form, issuance, and disposition of citations for certain violations; relating to certain crimes and penalties for noncompliance with citations; and providing for an effective date."

House Bill 386 gives the Department of Public Safety necessary authority to prescribe a uniform citation format and process. Standardizing the citation process will improve efficiency and interdepartmental communications, facilitating electronic sharing of citation data between law enforcement, prosecution, courts and state and municipal collection departments.

By standardizing deadlines for payments, responses and paperwork filing by the citation issuer, HB 386 will also reduce confusion for citizens receiving citations and allow more fines to be paid through the courts' online e-payment system. A standard process is also an integral step in preparing for a statewide database and digital interoperability.

Representative Mike Hawker

Alaska State Legislature



House Bill 386

Summary of Changes

The House Judiciary Committee made the following changes:

- ◇ Added sections of existing statute pertaining to citations that were inadvertently overlooked in the original draft (sections 32 and 57).
- ◇ Removed language stating that a citation is considered a summons for failure to obey a citation and the court may issue a bench warrant wherever it appeared in the bill (sections 2, 6, 33, 36, 42, and 55).
- ◇ Amended section 22 to clarify that the commissioner of the Department of Public Safety shall adopt regulations in order to implement the standard citation format. This language makes section 22 consistent with section 48 of the bill.

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FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 386(JUD)
(H) Publish Date: 3/19/10

Identifier (file name): HB386-CED-CBPL-3-16-10 Dept. Affected: DCCED
Title: Citations RDU: Corp, Bus, & Prof Licensing (117)
Component: Corp, Bus, & Prof Licensing
Sponsor: Representative Hawker
Requester: House Judiciary Component Number: 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES (1156)								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other: (1156) RSS								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

This bill would establish a uniform format and procedure for citations of certain violations of state law and adjusts penalties for noncompliance with citations.

The department does not expect a fiscal impact as a result of this legislation.

Prepared by: Jennifer Strickler, Division Operations Manager
Division: Corporations, Business & Professional Licensing
Approved by: Emil Notti, Commissioner
Commerce, Community, and Economic Development

Phone (907) 465-2144
Date/Time 3/16/2010 9:20AM
Date 3/16/2010

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSHB 386(JUD)
(H) Publish Date: 3/19/10

Identifier (file name): HB386-LAW-CRIM-03-12-10 Dept. Affected: Law
Title An Act establishing a uniform format and procedure for citations RDU CRIMINAL
for certain violations of state law Component Criminal Justice Litigation
Sponsor Representative Hawker
Requester Judiciary Component Number 2202

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

This bill provides for statutory amendments and would require all citations issued in Alaska to be in the form designated by the Department of Public Safety. According to the new section, AS 12.25.175(b), DPS will either "provide or prescribe citation forms for use by...persons who are authorized by law to issue citations." The Department of Law does not anticipate a fiscal impact from this bill.

Prepared by: Eileen Donahue, Division Operations Manager
Division Administrative Services
Approved by: Daniel S. Sullivan, Attorney General
Department of Law

Phone 465-5427
Date/Time 3/12/10 12:00 PM
Date 3/12/2010

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: CSHB 386(JUD)
(H) Publish Date: 3/19/10

Identifier (file name): HB386-DPS-AST-03-16-10 Dept. Affected: Public Safety
Title: "An act relating to uniform citations." RDU: Alaska State Troopers
Component: AST Detachments
Sponsor: Representative Hawker
Requester: House Judiciary Component Number: 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required		Information				
	FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This bill would set a uniform standard for citations used by law enforcement agencies and facilitate the electronic transfer of information. This legislation will help eliminate the need for duplicative data entry and reduce data entry errors.

This legislation will have no fiscal cost and is expected to increase the productivity of the department in the long term.

Prepared by: Lt. Rodney Dial
Division: Alaska State Troopers
Approved by: Joseph Masters, Commissioner
Department of Public Safety

Phone 907-247-4480
Date/Time 3/16/2010 4:30:00 PM
Date 3/16/2010

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 386(JUD)
(H) Publish Date: 3/19/10

Identifier (file name): HB386-CED-CBPL-3-16-10 Dept. Affected: DCCED
Title Citations RDU Corp, Bus, & Prof Licensing (117)
Component Corp, Bus, & Prof Licensing
Sponsor Representative Hawker
Requester House Judiciary Component Number 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES (1156)								
------------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

	FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other: (1156) RSS							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This bill would establish a uniform format and procedure for citations of certain violations of state law and adjusts penalties for noncompliance with citations.

The department does not expect a fiscal impact as a result of this legislation.

Prepared by: Jennifer Strickler, Division Operations Manager Phone (907) 465-2144
Division Corporations, Business & Professional Licensing Date/Time 3/16/2010 9:20AM
Approved by: Emil Notti, Commissioner Date 3/16/2010
Commerce, Community, and Economic Development

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 386(JUD)
 (H) Publish Date: 3/19/10

Identifier (file name): HB386-LAW-CRIM-03-12-10 Dept. Affected: Law
 Title: An Act establishing a uniform format and procedure for citations RDU: CRIMINAL
for certain violations of state law Component: Criminal Justice Litigation
 Sponsor: Representative Hawker
 Requester: Judiciary Component Number: 2202

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

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1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill provides for statutory amendments and would require all citations issued in Alaska to be in the form designated by the Department of Public Safety. According to the new section, AS 12.25.175(b), DPS will either "provide or prescribe citation forms for use by... persons who are authorized by law to issue citations." The Department of Law does not anticipate a fiscal impact from this bill.

Prepared by: Eileen Donahue, Division Operations Manager
 Division: Administrative Services
 Approved by: Daniel S. Sullivan, Attorney General
Department of Law

Phone 465-5427
 Date/Time 3/12/10 12:00 PM
 Date 3/12/2010

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2010 LEGISLATIVE SESSION

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Title: "An act relating to uniform citations." RDU: Alaska State Troopers
Sponsor: Representative Hawker Component: AST Detachments
Requester: House Judiciary Component Number: 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
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OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES

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CHANGE IN REVENUES ()

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1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

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Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This bill would set a uniform standard for citations used by law enforcement agencies and facilitate the electronic transfer of information. This legislation will help eliminate the need for duplicative data entry and reduce data entry errors.

This legislation will have no fiscal cost and is expected to increase the productivity of the department in the long term.

Prepared by: Lt. Rodney Dial
Division: Alaska State Troopers
Approved by: Joseph Masters, Commissioner
Department of Public Safety

Phone 907-247-4480
Date/Time 3/16/2010 4:30:00 PM
Date 3/16/2010

HB 386
Uniform Citations - Overview
Prepared by Representative Mike Hawker's Office

HB 386 establishes and requires the use of a uniform format, process and standard deadlines for citations issued in the state. The process is contained in sections 21 – 31 of the bill. The rest of the bill adopts the standard process for various citations.

Uniform Citation Process and Format contained in AS 12.25.175 – 12.25.230:

- ◇ 12.25.175 (new section of law) sets out requirements for the standard citation format, requires the commissioner of the Department of Public Safety to provide or prescribe the standard citation formats, and enables the commissioner to adopt regulations. Uniform citations must adhere to a statewide numbering system and contain specific information described in AS 12.25.200 (b). The citation issuer is also required to make an oath or affirmation, if authorized to do so, or make a statement under penalty of perjury that the citation was true and personally served on the person charged.
- ◇ 12.25.180 (existing law) clarifies when an officer can issue a citation instead of making an arrest. Most of the changes reword existing law for clarity and have no substantive effect.
 - ◆ In (a)(2), the requirement that the officer have “reasonable and probable cause to believe” that a person is a danger to self or others is replaced with “reasonably believes.” Probable cause indicates there are certain elements that must be met, whereas a reasonable belief can be articulated more easily. Because it is within the officer’s discretion to arrest or issue a citation, that determination should be based on a reasonable belief, rather than probable cause.
 - ◆ In (b)(2), the requirement that the person receiving the citation provide a written promise to appear in court is removed to facilitate electronic transmission of the citation. The required issuer’s oath or statement that a copy of the citation was correctly served (required by AS 12.25.175) satisfies the intent of this statute.
- ◇ 12.25.190 (existing law) clarifies when a person shall be given a five-day notice to appear in court. Most of the changes are language repeals to accommodate the standard process adopted in this legislation and rewording for clarity.
 - ◆ The provision allowing a person to request a hearing earlier than five days after the citation is issued is repealed. Officers in the field cannot always forward a citation to the court for a hearing in fewer than five days.
- ◇ 12.25.195 (existing law) outlines the disposition of “scheduled offenses” – violations that have an established bail or fine amount. If a person doesn’t contest the citation, there is a standard 30 day deadline for paying the bail or fine, regardless of the type of citation.
- ◇ 12.25.200 (existing law) specifies a format for citations. The changes to this section expand its applicability to all citations, instead of just those issued by law enforcement.
- ◇ 12.25.210 (existing law) outlines recordkeeping requirements for citation issuers. The changes to this section expand its applicability to all citations, instead of just those issued by law enforcement. This section also sets a 10 working day deadline for citations to be filed with the court and clarifies that missing the filing deadline does not negate the citation.
- ◇ 12.25.230 (existing law) outlines the penalties for failure to pay a fine or appear in court, as required by a citation. The current language is confusing. While having two sections implies

that that each offense should have a different penalty, because the type of misdemeanor is not defined, they can be interpreted to apply the same penalty to both types of citation. Under HB 386, there would be a bright line between offenses that require a court appearance and "scheduled offenses" which carry a particular fine and can be paid by mail.

- ♦ 12.25.230 (a) states that the penalty for failing to appear to answer a citation that requires a court appearance would be a class A misdemeanor (see penalties above).
- ♦ 12.25.230 (b) states that the penalty for failing to appear or pay the bail or fine for a citation for a "scheduled offense" is a class B misdemeanor, which is punishable by up to a \$2,000 fine and/or imprisonment of up to 90 days.

Statutory changes to implement the Uniform Citation Process and Format for various violations:

- ◇ Sections 1, 4, 7, 9, 14, 17, 32, 35, 38, 39, 40, 41, 45, 46, 50, 57 and 59 are statutory references changed or added to reference the standard citation process and format:
- ◇ Sections 2, 5, 33, 36, 42, 55, and 57 reflect the standard deadline of 30 days for payment for a "scheduled offense" citation (see AS 12.25.195). These sections also add language specifying that this deadline is for violators who plead "no contest," since a person contesting the citation wouldn't be sending in a payment.
- ◇ Sections 3, 6, 34, 37, 43, 54, 56 and 58 are individual penalty sections that are amended or repealed and reenacted to adopt the uniform penalties in AS 12.25.230.
- ◇ Sections 10, 14, 18, 46 and 50 remove the condition that a citation be "in writing" (see notes for AS 12.25.180 (b)(2)).
- ◇ Sections 11, 15, 19, 47, and 51 reflect the five day notice and repeal language allowing a person to request an earlier hearing (see notes for AS 12.25.190).
- ◇ Sections 12 and 52 reflect the 10 day deadline for a citation to be filed with the court by the citation issuer (see AS 12.25.210).
- ◇ Sections 13, 16, 20, 48, and 53 repeal language specifying what needs to be in particular citations and instead state that a citation that complies with the uniform format is considered to be a lawful complaint for the purposes of prosecution.

Miscellaneous Sections:

- ◇ Sections 8 and 24 ensure that the law is consistent after other previously enacted bills sunset. The language mirrors language found in sections 7 and 23, respectively.
- ◇ Section 44 allows citations to be given for violations in the Knik River Public Use Area.
- ◇ Section 49 allows DPS to establish regulations to implement standardized citations.
- ◇ Section 60 repeals statutes regarding citation formats that are made moot by adoption of the standardized format in this bill.
- ◇ Sections 61-65 provide applicability instructions, transitional provisions and effective dates.

*Approved
3/29/10*

26-LS1525E
Luckhaupt
3/25/10

CS FOR HOUSE BILL NO. 386(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVE HAWKER

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing a uniform format and procedure for citations for certain violations
2 of state law; relating to the form, issuance, and disposition of citations for certain
3 violations; relating to certain crimes and penalties for noncompliance with citations; and
4 providing for an effective date."

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

6 * **Section 1.** AS 04.16.205(a) is amended to read:

7 (a) A person who possesses alcoholic beverages in a municipality or
8 established village in violation of AS 04.11.501 or an ordinance adopted under
9 AS 04.11.501 may, upon conviction, be punished by a fine not to exceed \$1,000 and
10 shall forfeit the seized alcoholic beverages. When a peace officer stops or contacts a
11 person concerning a violation of AS 04.11.501 or an ordinance adopted under
12 AS 04.11.501, the peace officer shall seize the alcoholic beverages and may issue a
13 citation to the person as provided in AS 12.25.175 - 12.25.230 [AS 12.25.180].

14 * **Sec. 2.** AS 04.16.205(b) is amended to read:

1 (b) If a [A] person cited for a violation of AS 04.11.501 or an ordinance
2 adopted under AS 04.11.501 for which a bail amount has been established under (c) of
3 this section **does not contest the citation, the person** may, within 30 days after the
4 date the citation is issued,

5 (1) mail or personally deliver to the clerk of the court in which the
6 citation is filed by the peace officer the amount of bail indicated on the citation and a
7 copy of the citation indicating that the right to an appearance is waived, a plea of no
8 contest is entered, and the bail and all alcoholic beverages seized are forfeited; or

9 (2) perform community work in lieu of payment of the fine or a
10 portion of the fine as provided in (d) of this section.

11 * Sec. 3. AS 04.16.205(f) is repealed and reenacted to read:

12 (f) A person cited under this section is guilty of failure to obey a citation under
13 AS 12.25.230 if the person fails to pay the fine, appear in court as required, or provide
14 proof of performance to the court as specified in (d)(1) of this section.

15 * Sec. 4. AS 04.21.065(d) is amended to read:

16 (d) A peace officer may issue a citation for a violation of this section. The
17 provisions of AS 12.25.175 - 12.25.230 [AS 12.25.180(b) AND 12.25.190 -
18 12.25.230] apply to the issuance of a citation under this subsection.

19 * Sec. 5. AS 04.21.065(h) is amended to read:

20 (h) If a [A] person cited for a violation under this section **does not contest the**
21 **citation, the person** may, **on or before the 30th day** [WITHIN 15 DAYS] after the
22 date of the citation, mail or personally deliver to the clerk of the court in which the
23 citation is filed

24 (1) the amount of bail indicated on the citation for the violation; and

25 (2) a copy of the citation indicating that the right to an appearance is
26 waived, a plea of no contest is entered, and the bail is forfeited.

27 * Sec. 6. AS 04.21.065(j) is repealed and reenacted to read:

28 (j) A person cited under this section is guilty of failure to obey a citation under
29 AS 12.25.230 if the person fails to pay the bail amount established under (g) of this
30 section or to appear in court as required.

31 * Sec. 7. AS 05.25.080(b) is amended to read:

1 (b) A peace officer may enforce this chapter and regulations adopted under
2 this chapter and, in the exercise of enforcement, may stop and, if the peace officer has
3 probable cause to believe a violation of this chapter has occurred, may board a boat
4 subject to this chapter. A peace officer may issue a citation as provided in
5 AS 12.25.175 - 12.25.230 [AS 12.25.180] to a person who violates a provision of this
6 chapter.

7 * Sec. 8. AS 05.25.080, as repealed and reenacted by sec. 18, ch. 28, SLA 2000, is amended
8 to read:

9 **Sec. 05.25.080. Enforcement.** A peace officer may enforce this chapter and, in
10 the exercise of enforcement, may stop and, if the peace officer has probable cause to
11 believe a violation of this chapter has occurred, board watercraft subject to this
12 chapter: A peace officer may issue a citation as provided in AS 12.25.175 -
13 12.25.230 to a person who violates a provision of this chapter.

14 * Sec. 9. AS 08.01.102 is amended to read:

15 **Sec. 08.01.102. Citation for unlicensed practice or activity.** The department
16 may issue a citation for a violation of a license requirement under this chapter, except
17 a requirement to have a license under AS 43.70, if there is probable cause to believe a
18 person has practiced a profession or engaged in business for which a license is
19 required without holding the license. Each day a violation continues after a citation for
20 the violation has been issued constitutes a separate violation. A citation issued under
21 this section must comply with the standards adopted under AS 12.25.175 -
22 12.25.230.

23 * Sec. 10. AS 08.01.103(a) is amended to read:

24 (a) [A CITATION ISSUED UNDER AS 08.01.102 MUST BE IN
25 WRITING.] A person receiving the citation issued under AS 08.01.102 is not
26 required to sign a notice to appear in court.

27 * Sec. 11. AS 08.01.103(b) is amended to read:

28 (b) The time specified in the notice to appear on a citation issued under
29 AS 08.01.102 shall be at least five working days [, NOT INCLUDING WEEKENDS
30 AND HOLIDAYS,] after the issuance of the citation [, UNLESS THE PERSON
31 CITED REQUESTS AN EARLIER HEARING].

1 * **Sec. 12.** AS 08.01.103(d) is amended to read:

2 (d) **On or before the 10th working day after the issuance of a citation, the**
3 [THE] department shall deposit the original or a copy of the citation with a court
4 having jurisdiction over the alleged offense. Upon its deposit with the court, the
5 citation may be disposed of only by trial in the court or other official action taken by
6 the magistrate, judge, or prosecutor. The department may not dispose of a citation,
7 copies of it, or [OF] the record of its issuance except as required under this subsection
8 and (e) of this section.

9 * **Sec. 13.** AS 08.01.103(f) is repealed and reenacted to read:

10 (f) A citation issued under AS 08.01.102 is considered to be a lawful
11 complaint for the purpose of prosecution.

12 * **Sec. 14.** AS 08.18.118(a) is amended to read:

13 (a) A citation issued under this chapter must **comply with AS 12.25.175 -**
14 **12.25.230** [BE IN WRITING]. A person receiving the citation is not required to sign a
15 notice to appear in court.

16 * **Sec. 15.** AS 08.18.118(b) is amended to read:

17 (b) The time specified in the notice to appear on a citation issued under this
18 chapter must be at least five **working** days [, NOT INCLUDING WEEKENDS AND
19 HOLIDAYS,] after the issuance of the citation [, UNLESS THE PERSON CITED
20 REQUESTS AN EARLIER HEARING].

21 * **Sec. 16.** AS 08.18.118(f) is repealed and reenacted to read:

22 (f) A citation issued under this chapter is considered to be a lawful complaint
23 for the purpose of prosecution.

24 * **Sec. 17.** AS 08.40.340 is amended to read:

25 **Sec. 08.40.340. Issuance of citations.** The department may issue a citation
26 **that complies with AS 12.25.175 - 12.25.230** for a violation if there is probable cause
27 to believe a person has violated AS 08.40.210 - 08.40.490. Each day a violation
28 continues after a citation for the violation has been issued constitutes a separate
29 violation.

30 * **Sec. 18.** AS 08.40.350(a) is amended to read:

31 (a) [A CITATION ISSUED UNDER AS 08.40.340 MUST BE IN

1 WRITING.] A person receiving the citation under AS 08.40.340 is not required to
2 sign a notice to appear in court.

3 * **Sec. 19.** AS 08.40.350(b) is amended to read:

4 (b) The time specified in the notice to appear on a citation issued under
5 AS 08.40.340 must be at least five working days [, NOT INCLUDING WEEKENDS
6 AND HOLIDAYS,] after the issuance of the citation [, UNLESS THE PERSON
7 CITED REQUESTS AN EARLIER HEARING].

8 * **Sec. 20.** AS 08.40.350(f) is repealed and reenacted to read:

9 (f) A citation issued under AS 08.40.340 is considered to be a lawful
10 complaint for the purpose of prosecution.

11 * **Sec. 21.** AS 12.25 is amended by adding a new section to article 2 to read:

12 **Sec. 12.25.175. Uniform citation format and procedure. (a)**

13 Notwithstanding any contrary provision of law, a citation issued by a peace officer and
14 by another person who is authorized by law to issue a citation in the state must comply
15 with standards concerning uniform citation format and procedure adopted by the
16 Department of Public Safety. The standards must include

17 (1) a statewide numbering system for citations;

18 (2) a requirement that a citation be made upon oath or affirmation
19 before a person authorized by law to administer oaths or affirmations or signed with a
20 certification under penalty of perjury that the citation is true and was personally served
21 on the person charged;

22 (3) a requirement that the citation contain information required by
23 AS 12.25.200(b).

24 (b) The commissioner of public safety shall provide or prescribe citation
25 forms for use by peace officers and other persons who are authorized by law to issue
26 citations.

27 (c) The commissioner of public safety shall adopt regulations under AS 44.62
28 to implement this section.

29 * **Sec. 22.** AS 12.25.180 is amended to read:

30 **Sec. 12.25.180. When peace officer may issue citation or take person**
31 **before the court. (a) When a peace officer stops or contacts a person [IS STOPPED**

1 OR CONTACTED BY A PEACE OFFICER] for the commission of a misdemeanor
2 or the violation of a municipal ordinance, the officer [PERSON] may, in the officer's
3 discretion, issue [OF THE CONTACTING PEACE OFFICER, BE ISSUED] a
4 citation to the person instead of taking the person [BEING TAKEN] before a judge
5 or magistrate under AS 12.25.150, unless

6 (1) the person does not furnish satisfactory evidence of identity;

7 (2) the contacting officer reasonably believes [HAS REASONABLE
8 AND PROBABLE CAUSE TO BELIEVE] the person is a danger to self or others;

9 (3) the crime for which the person is contacted is one involving
10 violence or harm to another person or to property;

11 (4) the person asks to be taken before a judge or magistrate under
12 AS 12.25.150; or

13 (5) the peace officer has probable cause to believe the person
14 committed a crime involving domestic violence; in this paragraph, "crime involving
15 domestic violence" has the meaning given in AS 18.66.990.

16 (b) When a [PERSON IS STOPPED OR CONTACTED BY A] peace officer
17 stops or contacts a person for the commission of an infraction or a violation, the
18 officer [PERSON] shall issue [BE ISSUED] a citation instead of taking the person
19 [BEING TAKEN] before a judge or magistrate under AS 12.25.150, unless

20 (1) the person does not furnish satisfactory evidence of identity; or

21 (2) the person refuses to accept service of the citation [OR TO GIVE
22 A WRITTEN PROMISE TO APPEAR AS PROVIDED FOR UNDER
23 AS 12.25.190(c)].

24 * **Sec. 23.** AS 12.25.190 is amended to read:

25 **Sec. 12.25.190. When person to be given five-day notice to appear in court.**

26 (a) When a person is contacted by a peace officer and the peace officer exercises one
27 of the options [OPTION] provided for in AS 12.25.180, the officer shall prepare a
28 written citation and issue it to the person.

29 (b) The time specified in the notice to appear shall be at least five working
30 days after [THE ALLEGED VIOLATION OR] the issuance of the citation [,
31 WHICHEVER IS LATER, UNLESS THE PERSON CITED REQUESTS AN

1 EARLIER HEARING].

2 (c) The person cited [FOR THE CRIME] shall accept [GIVE A WRITTEN
3 PROMISE TO APPEAR IN COURT BY SIGNING] at least one copy of the written
4 citation prepared by the peace officer [, AND THE OFFICER SHALL DELIVER A
5 COPY OF THE CITATION TO THE PERSON. THE WRITTEN PROMISE
6 REQUIREMENT OF THIS SUBSECTION DOES NOT APPLY TO BOATING
7 CITATIONS FOR WHICH A BAIL SCHEDULE HAS BEEN ESTABLISHED
8 UNDER AS 05.25.090(c), MOTOR VEHICLE AND TRAFFIC CITATIONS FOR
9 WHICH A BAIL OR FINE SCHEDULE HAS BEEN ESTABLISHED UNDER
10 AS 28.05.151, FISH AND GAME CITATIONS FOR WHICH A BAIL SCHEDULE
11 HAS BEEN ESTABLISHED UNDER AS 16.05.165, CITATIONS ISSUED UNDER
12 AS 04.21.065, CITATIONS FOR SKIING VIOLATIONS ISSUED UNDER
13 AS 05.45.100, CITATIONS ISSUED UNDER AS 18.35.341, CITATIONS ISSUED
14 IN STATE PARK AND RECREATIONAL FACILITIES UNDER AS 41.21.960, OR
15 LITTERING CITATIONS ISSUED UNDER AS 46.06.080].

16 * **Sec. 24.** AS 12.25.190(c), as repealed and reenacted by sec. 26, ch. 28, SLA 2000, and by
17 sec. 41, ch. 12, SLA 2006, is amended to read:

18 (c) The person cited [FOR THE CRIME] shall accept [GIVE A WRITTEN
19 PROMISE TO APPEAR IN COURT BY SIGNING] at least one copy of the written
20 citation prepared by the peace officer [, AND THE OFFICER SHALL DELIVER A
21 COPY OF THE CITATION TO THE PERSON. THE WRITTEN PROMISE
22 REQUIREMENT OF THIS SUBSECTION DOES NOT APPLY TO MOTOR
23 VEHICLE AND TRAFFIC CITATIONS FOR WHICH A BAIL OR FINE
24 SCHEDULE HAS BEEN ESTABLISHED UNDER AS 28.05.151, FISH AND
25 GAME CITATIONS FOR WHICH A BAIL SCHEDULE HAS BEEN
26 ESTABLISHED UNDER AS 16.05.165, CITATIONS ISSUED UNDER
27 AS 04.21.065, CITATIONS FOR SKIING VIOLATIONS ISSUED UNDER
28 AS 05.45.100, CITATIONS ISSUED UNDER AS 18.35.341, CITATIONS ISSUED
29 IN STATE PARK AND RECREATIONAL FACILITIES UNDER AS 41.21.960, OR
30 LITTERING CITATIONS ISSUED UNDER AS 46.06.080].

31 * **Sec. 25.** AS 12.25.195(a) is amended to read:

1 (a) If a [A] person cited for an offense for which a scheduled amount of bail
 2 or a fine has been established does not contest the citation, the person may mail or
 3 personally deliver to the clerk of the court with appropriate jurisdiction if aailable
 4 offense, or to the clerk of the municipality that issued the citation if a scheduled
 5 municipal fine, the amount of the bail or fine indicated on the citation for the offense
 6 together with a copy of the citation signed by the person indicating the person's waiver
 7 of court appearance, entry of plea of no contest, and forfeiture of bail or fine. The
 8 citation with the bail or fine shall be mailed or personally delivered on or before
 9 the 30th day after the date the citation was issued [A MOTOR VEHICLE OR
 10 TRAFFIC CITATION MAY BE MAILED OR PERSONALLY DELIVERED
 11 WITHIN FIVE DAYS OF THE DATE OF THE CITATION. A CITATION FOR A
 12 SCHEDULED OFFENSE OTHER THAN A MOTOR VEHICLE OR TRAFFIC
 13 CITATION MAY BE MAILED OR PERSONALLY DELIVERED WITHIN 15
 14 DAYS OF THE DATE OF THE CITATION].

15 * Sec. 26. AS 12.25.200 is amended to read:

16 **Sec. 12.25.200. Form for citations.** (a) The chief administrative officer of
 17 each law enforcement agency or other agency authorized to issue citations in the
 18 state is responsible for the issuance of books containing appropriate citations, and shall
 19 maintain a record of each book and each citation contained in it and shall require and
 20 retain a receipt for every book issued to a peace officer or other person authorized to
 21 issue citations.

22 (b) A citation issued under AS 12.25.180 or other law authorizing the
 23 issuance of a citation must be in writing and indicate, if applicable,

24 (1) the amount of bail or fine and the surcharge applicable to the
 25 offense;

26 (2) the procedure a person must follow in responding to the citation;

27 (3) that, if the person fails to pay the bail or fine, the person must
 28 appear in court;

29 (4) that failure to pay the bail or fine or appear in court for an offense
 30 involving a moving motor vehicle may result in

31 (A) suspension of the person's driver's license, privilege to

1 drive, or privilege to obtain a license; or

2 (B) attachment of the person's permanent fund dividend to pay
3 the fine plus court and collection costs under AS 28.05.155; and

4 (5) that the person has a right to

5 (A) a trial;

6 (B) engage counsel;

7 (C) confront and question witnesses;

8 (D) testify; [AND]

9 (E) subpoena witnesses on the person's behalf.

10 * Sec. 27. AS 12.25.210(a) is amended to read:

11 (a) A peace officer or other person authorized by law to issue a citation,
12 upon issuing a citation to an alleged violator under AS 12.25.180 or other law, on or
13 before the 10th working day after issuance, shall deposit the original or a copy of
14 the citation with a court having jurisdiction over the alleged offense. If the citation
15 charges an offense under a municipal ordinance for which a scheduled fine has been
16 established, the peace officer shall deposit the original or a copy of the citation with
17 the clerk of the municipality that issued the citation, unless otherwise provided under
18 rule adopted by the supreme court. Failure to file the citation within the prescribed
19 time is not a basis for dismissal of the citation.

20 * Sec. 28. AS 12.25.210(d) is amended to read:

21 (d) The chief administrative officer of each law enforcement or other agency
22 shall require each officer or other person in the agency to retain [RETURN] a copy
23 of every citation issued by the officer or other person to an alleged violator of a law
24 or ordinance and all copies of every citation that has been spoiled or upon which any
25 entry has been made and not issued to an alleged violator.

26 * Sec. 29. AS 12.25.210(e) is amended to read:

27 (e) The chief administrative officer of each law enforcement or other agency
28 shall also maintain, in connection with every citation issued by an officer or other
29 person in the agency, a record of the disposition of the charge by the court in which
30 the original or copy of the citation was deposited.

31 * Sec. 30. AS 12.25.230(a) is amended to read:

1 (a) Except as provided in (b) of this section or otherwise specifically
2 provided by law, a person who fails to appear in court to answer the citation,
3 regardless of the disposition of the charge for which the citation was issued, is guilty
4 of a class A misdemeanor [AND UPON CONVICTION IS PUNISHABLE BY A
5 FINE OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE
6 THAN ONE YEAR, OR BY BOTH].

7 * Sec. 31. AS 12.25.230(b) is repealed and reenacted to read:

8 (b) A person who fails to pay the bail or fine or appear in court in response to
9 a citation for which a scheduled bail or fine is established, regardless of the disposition
10 of the charge for which the citation was issued, is guilty of a class B misdemeanor.

11 * Sec. 32. AS 16.05.165(a) is amended to read:

12 (a) When a peace officer stops or contacts a person concerning a violation of
13 this title except AS 16.51 and AS 16.52 or of a regulation adopted under this title
14 except AS 16.51 and AS 16.52 that is a misdemeanor, the peace officer may, in the
15 officer's discretion, issue a citation to the person as provided in AS 12.25.175 -
16 12.25.230 [AS 12.25.180].

17 * Sec. 33. AS 16.05.165(c) is amended to read:

18 (c) If a [A] person cited for a misdemeanor for which a bail amount has been
19 established under (b) of this section does not contest the citation, the person may,
20 on or before the 30th day [WITHIN 15 DAYS] after the date of the citation, mail or
21 personally deliver to the clerk of the court in which the citation is filed by the peace
22 officer

23 (1) the amount of bail indicated on the citation for that offense; and

24 (2) a copy of the citation indicating that the right to an appearance is
25 waived, a plea of no contest is entered, and the bail is forfeited.

26 * Sec. 34. AS 16.05.165(e) is repealed and reenacted to read:

27 (e) A person cited under this section is guilty of failure to obey a citation
28 under AS 12.25.230 if the person fails to pay the bail amount established under (b) of
29 this section or fails to appear in court as required.

30 * Sec. 35. AS 18.35.341(a) is amended to read:

31 (a) A peace officer may issue a citation for a violation of AS 18.35.300 or

1 18.35.305 committed in the officer's presence or for a violation of AS 18.35.330. The
2 provisions of AS 12.25.175 - 12.25.230 [AS 12.25.180(b) AND 12.25.190 -
3 12.25.230] apply to the issuance of a citation under this subsection.

4 * Sec. 36. AS 18.35.341(e) is amended to read:

5 (e) If a [A] person cited for a violation under this section does not contest the
6 citation, the person may, on or before the 30th day [WITHIN 15 DAYS] after the
7 date of the citation, mail or personally deliver to the clerk of the court in which the
8 citation is filed

9 (1) the amount of bail indicated on the citation for that violation; and

10 (2) a copy of the citation indicating that the right to an appearance is
11 waived, a plea of no contest is entered, and the bail is forfeited.

12 * Sec. 37. AS 18.35.341(g) is repealed and reenacted to read:

13 (g) A person cited under this section is guilty of failure to obey a citation
14 under AS 12.25.230 if the person fails to pay the bail amount established under (d) of
15 this section or fails to appear in court as required.

16 * Sec. 38. AS 28.01.010(h) is amended to read:

17 (h) A municipality may issue a citation for a traffic offense only if the citation
18 complies with the provisions of AS 12.25.175 and 12.25.200 [AS 12.25.200].

19 * Sec. 39. AS 28.05.041(a) is amended to read:

20 (a) The commissioner of administration shall prescribe and provide suitable
21 application forms, certificates of title and registration, driver's licenses, and all other
22 forms necessary to carry out the provisions of this title and regulations adopted under
23 this title, the administration of which is vested in the Department of Administration.
24 The commissioner of public safety shall prescribe and provide suitable forms
25 necessary to carry out the provisions of this title and regulations adopted under this
26 title, the administration of which is vested in the Department of Public Safety,
27 including a standard citation form that meets the requirements of AS 12.25.175 and
28 12.25.200 [AS 12.25.200] and that is in a form necessary to identify the offender and
29 the offense and otherwise necessary to meet the needs of the public safety and the
30 administration of justice as required under AS 12.25.175 and 12.25.200 [THAT
31 SECTION].

1 * **Sec. 40.** AS 28.32.010(b) is amended to read:

2 (b) A peace officer, or an employee of the Department of Public Safety who is
3 authorized by the commissioner of that department to enforce both hazardous
4 materials and commercial vehicle safety regulations, may issue a citation under
5 AS 12.25.175 - 12.25.230 [AS 12.25.180 - 12.25.230] to a person who violates a
6 regulation adopted under AS 28.05.011(a)(2). An employee of the Department of
7 Public Safety who is authorized by the commissioner of public safety to enforce both
8 hazardous materials and commercial vehicle safety regulations may not take a person
9 into custody under AS 12.25.180(b).

10 * **Sec. 41.** AS 41.21.960(a) is amended to read:

11 (a) When a peace officer stops or contacts a person concerning the
12 commission of a misdemeanor offense committed within a park or recreational facility
13 subject to the department's supervision, the officer may issue a citation to the person,
14 subject to the provisions of AS 12.25.175 - 12.25.230 [AS 12.25.180 - 12.25.230]. The
15 person receiving the citation may not be required to endorse the citation.

16 * **Sec. 42.** AS 41.21.960(c) is amended to read:

17 (c) If a [A] person cited for an offense for which a bail amount has been
18 established under (b) of this section does not contest the citation, the person may,
19 on or before the 30th day after [WITHIN 15 DAYS FROM] the date of the citation,
20 mail or personally deliver to the clerk of the court having jurisdiction over the place
21 where the offense occurred

22 (1) the amount of bail indicated on the citation for that offense; and

23 (2) a copy of the citation indicating the offender's waiver of
24 appearance, plea of no contest, and direction to forfeit the bail and any items seized
25 from the offender.

26 * **Sec. 43.** AS 41.21.960(e) is repealed and reenacted to read:

27 (e) A person cited under this section is guilty of failure to obey a citation
28 under AS 12.25.230 if the person fails to pay the bail amount established under (b) of
29 this section or fails to appear in court as required.

30 * **Sec. 44.** AS 41.23.210(b) is amended to read:

31 (b) A person designated in (a) of this section may, when enforcing the

1 provisions of AS 41.23.180 - 41.23.230 or a regulation adopted under AS 41.23.180 -
2 41.23.230,

3 (1) execute a warrant or other process issued by an officer or court of
4 competent jurisdiction;

5 (2) administer or take an oath, affirmation, or affidavit; and

6 (3) issue a citation or arrest a person who violates a provision of
7 AS 41.23.180 - 41.23.230 or a regulation adopted under AS 41.23.180 - 41.23.230.

8 * Sec. 45. AS 41.23.210 is amended by adding a new subsection to read:

9 (c) A citation issued under (b) of this section must comply with the provisions
10 of AS 12.25.175 - 12.25.230.

11 * Sec. 46. AS 44.29.094(a) is amended to read:

12 (a) A citation issued under AS 44.29.092 must comply with the standards
13 adopted under AS 12.25.175 and 12.25.200 [BE IN WRITING] and must contain a
14 notice to appear in court. A person receiving the citation is not required to sign the
15 notice.

16 * Sec. 47. AS 44.29.094(b) is amended to read:

17 (b) The time specified in the notice to appear in court on the citation shall be
18 at least five working days [, NOT INCLUDING WEEKENDS AND HOLIDAYS,]
19 after the issuance of the citation [, UNLESS THE PERSON CITED REQUESTS AN
20 EARLIER APPEARANCE IN COURT].

21 * Sec. 48. AS 44.29.094(f) is repealed and reenacted to read:

22 (f) A citation issued under AS 44.29.092 is considered to be a lawful
23 complaint for the purpose of prosecution.

24 * Sec. 49. AS 44.41.020 is amended by adding a new subsection to read:

25 (f) The Department of Public Safety shall establish by regulation standardized
26 forms for citations issued by law enforcement officers and other persons authorized by
27 law to issue citations in the state.

28 * Sec. 50. AS 45.75.131(b) is amended to read:

29 (b) A citation issued under this section must comply with the standards
30 adopted under AS 12.25.175 - 12.25.230 [BE IN WRITING]. A person receiving the
31 citation is not required to sign a promise to appear in court.

1 * **Sec. 51.** AS 45.75.131(c) is amended to read:

2 (c) The time specified in the notice to appear on a citation issued under this
3 section must be at least five working [15] days after the issuance of the citation [,
4 UNLESS THE PERSON CITED REQUESTS AN EARLIER HEARING].

5 * **Sec. 52.** AS 45.75.131(e) is amended to read:

6 (e) On or before the 10th working day after issuance, a [A] peace officer or
7 an employee who issues a citation under this section shall deposit the original or a
8 copy of the citation with a court having jurisdiction over the alleged offense. Upon its
9 deposit with the court, the citation may be disposed of only by trial in the court or
10 other official action taken by the magistrate, judge, or prosecutor. The peace officer or
11 employee who issued the citation may not dispose of it or copies of it or of the record
12 of its issuance except as required under this subsection and (f) of this section.

13 * **Sec. 53.** AS 45.75.131(g) is repealed and reenacted to read:

14 (g) A citation issued under this section is considered to be a lawful complaint
15 for the purpose of prosecution.

16 * **Sec. 54.** AS 45.75.131(h) is amended to read:

17 (h) Unless the citation has been voided or otherwise dismissed by the
18 magistrate, judge, or prosecutor, or bail has been forfeited under AS 45.75.133, a
19 person who fails to appear in court to answer a citation issued under this section,
20 regardless of the disposition of the charge for which the citation was issued, is guilty
21 of failure to obey a citation under AS 12.25.230(b) [A CLASS B
22 MISDEMEANOR].

23 * **Sec. 55.** AS 45.75.133(b) is amended to read:

24 (b) If a [A] person cited for a violation for which a bail forfeiture amount has
25 been established under (a) of this section does not contest the citation, the person
26 may, within 30 [15] days after the date of the citation, mail or personally deliver to the
27 clerk of the court in which the citation is filed by the employee

28 (1) the amount of bail indicated on the citation for that offense; and

29 (2) a copy of the citation indicating that the right to an appearance is
30 waived, a plea of no contest is entered, and the bail is forfeited.

31 * **Sec. 56.** AS 45.75.133(d) is repealed and reenacted to read:

1 (d) A person cited under this section is guilty of failure to obey a citation
2 under AS 12.25.230(b) if the person fails to pay the bail amount established under (a)
3 of this section or fails to appear in court as required.

4 * Sec. 57. AS 46.06.080(d) is amended to read:

5 (d) A peace officer shall issue a citation as provided in AS 12.25.175 -
6 12.25.230 [AS 12.25.180] to a person who violates this section. If a citation is for a
7 minor littering violation and the person does not contest the charge, [THEN] the
8 person to whom the citation is issued may, on or before the 30th day after the date
9 of the citation [WITHIN 15 DAYS], mail or personally deliver to the clerk of the
10 court in which the citation is filed

11 (1) a fine of \$50; and

12 (2) a copy of the citation indicating that the right to an appearance is
13 waived and a plea of no contest is entered.

14 * Sec. 58. AS 46.06.080(f) is repealed and reenacted to read:

15 (f) A person cited under this section is guilty of failure to obey a citation under
16 AS 12.25.230 if the person fails to pay the fine or to appear in court as required.

17 * Sec. 59. AS 46.06.110(b) is amended to read:

18 (b) The department shall prescribe a citation form, which shall be used by all
19 peace officers and persons in the state who are authorized to enforce the provisions of
20 this chapter. The citation form must meet the requirements of AS 12.25.175 -
21 12.25.230.

22 * Sec. 60. AS 04.16.205(i) and 04.16.205(j) are repealed.

23 * Sec. 61. The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 APPLICABILITY. This Act applies to all citations issued by peace officers and other
26 persons authorized under state law to issue citations for violations occurring on or after July 1,
27 2010.

28 * Sec. 62. The uncodified law of the State of Alaska is amended by adding a new section to
29 read:

30 TRANSITIONAL PROVISIONS: REGULATIONS. The Department of Public Safety
31 may proceed to adopt regulations necessary to implement this Act. The regulations take effect

1 under AS 44.62 (Administrative Procedure Act), but not before July 1, 2010.

2 * **Sec. 63.** Section 62 of this Act takes effect immediately under AS 01.10.070(c).

3 * **Sec. 64.** Sections 8 and 24 of this Act take effect on the date that secs. 18 and 26, ch. 28,
4 SLA 2000, take effect under sec. 30, ch. 28, SLA 2000, as amended by sec. 3, ch. 34, SLA
5 2004, and by sec. 1, ch. 19, SLA 2009.

6 * **Sec. 65.** Except as provided in secs. 63 and 64 of this Act, this Act takes effect July 1,
7 2010.