



# LAWS OF ALASKA

1979

**Source**

HCS CSSB 141

**Chapter No.**

32

## **AN ACT**

Relating to sentencing of criminal defendants; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: May 1, 1979  
Actual Effective Date: May 2, 1979

AN ACT

Relating to sentencing of criminal defendants; and providing for an effective date.

\* Section 1. AS 12.55 is amended by adding a new section to read:

Sec. 12.55.086. IMPRISONMENT AS A CONDITION OF SUSPENDED IMPOSITION OF SENTENCE. (a) When the imposition of sentence is suspended under AS 12.55.085, the court may require, as a special condition of probation, that the defendant serve a definite term of continuous or periodic imprisonment, not to exceed the maximum term of imprisonment that could have been imposed.

(b) A defendant imprisoned under this section is entitled to a deduction from his term of imprisonment for good conduct under AS 33.20.010. Unless otherwise specified in the order of suspension of imposition of sentence, a defendant imprisoned under this section is eligible for parole if his term of imprisonment exceeds one year and is eligible for any work furlough, rehabilitation furlough, or similar program available to other state prisoners.

(c) If probation is revoked and the defendant is sentenced to imprisonment, he shall receive credit for time served under this section. Deductions for good conduct under AS 33.20.010 do not constitute "time served".

\* Sec. 2. AS 12.55.085(c) is amended to read:

(c) Upon the revocation and termination of the probation, the court may pronounce sentence at any time after the suspension of the

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1 sentence within the longest period for which the defendant might have  
2 been sentenced, subject to the limitation specified in AS 12.55.086(c).

3 \* Sec. 3. AS 33.05.070(b) is amended to read:

4 (b) As speedily as possible after arrest the probationer shall be  
5 taken before the court for the district having jurisdiction over him.  
6 Thereupon the court may revoke the probation and require him to serve  
7 the sentence imposed, or any lesser sentence, and, if imposition of  
8 sentence was suspended, may impose any sentence which might originally  
9 have been imposed, subject to the limitation specified in AS 12.55.-  
10 086(c).

11 \* Sec. 4. AS 33.05.080(1) is amended to read:

12 (1) "probation", except as authorized under AS 12.55.086, is  
13 a procedure under which a defendant, found guilty of a crime upon ver-  
14 dict or plea, is released by the superior court subject to conditions  
15 imposed by the court and subject to the supervision of the probation  
16 service as [HEREINAFTER] provided in this chapter;

17 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-  
18 070(c).