



LAWS OF ALASKA

2002

Source
SB 339

Chapter No.
131

AN ACT

Increasing fines for certain criminal offenses.

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

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Approved by the Governor: July 5, 2002
Actual Effective Date: October 3, 2002

AN ACT

1 Increasing fines for certain criminal offenses.

2

3 * **Section 1.** AS 12.55.035(b) is amended to read:

4 (b) Except as provided in AS 12.55.036, upon conviction of an offense, a
5 defendant who is not an organization may be sentenced to pay, unless otherwise
6 specified in the provision of law defining the offense, a fine of no more than

7 (1) **\$500,000** [\$75,000] for murder in the first or second degree,
8 attempted murder in the first degree, sexual assault in the first degree, sexual abuse of
9 a minor in the first degree, kidnapping, or misconduct involving a controlled substance
10 in the first degree;

11 (2) **\$250,000** [\$50,000] for a class A **felony**;

12 (3) **\$100,000 for a class B felony**;

13 (4) **\$50,000 for a class [, B, OR] C felony**;

14 (5) **\$10,000** [(3) \$5,000] for a class A misdemeanor;

15 (6) **\$2,000** [(4) \$1,000] for a class B misdemeanor;

1 (A) the person gives written notice to the appropriate authority
2 to the effect that the weight or measure is available for examination, or is due
3 for reexamination, as the case may be;

4 (B) the person receives specific written permission to use the
5 weight or measure from the appropriate authority; or

6 (C) the weight or measure is exempt from sealing or annual
7 testing requirements by AS 45.75.080 or by a regulation adopted under
8 AS 45.75.050;

9 (3) disposes of a rejected or condemned weight or measure in a manner
10 contrary to law or regulation;

11 (4) removes from a weight or measure, contrary to law or regulation, a
12 tag, seal, or mark placed on it by the appropriate authority;

13 (5) sells or offers for sale less than the quantity the person represents
14 of a commodity, thing, or service;

15 (6) takes more than the quantity the person represents of a commodity,
16 thing, or service when, as buyer, the person furnished the weight or measure that the
17 seller used to determine the amount of the commodity, thing, or service;

18 (7) keeps for the purpose of sale, advertises, or offers for sale, or sells
19 a commodity, thing, or service in a condition or manner contrary to law or regulation;

20 (8) uses in retail trade, except in the preparation of packages put up in
21 advance of sale and of medical prescriptions, a weight or measure that is not so
22 positioned that a customer may accurately read, from a position that may reasonably
23 be assumed by a customer, its indications and observe the weighing or measuring
24 operation;

25 (9) hinders or obstructs the director, an inspector, a sealer, or a deputy
26 sealer in the performance of official duties under this chapter;

27 (10) violates a provision of an overweight or oversize vehicle permit
28 issued under AS 19.10.060(b);

29 (11) violates a weight, load, or size limitation established under
30 AS 19.10.060 or a regulation adopted under AS 19.05.020, AS 19.10.060, or
31 AS 45.75.050(b)(5);

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1 (12) violates a provision of this chapter or a regulation adopted under
2 this chapter for which a specific penalty is not prescribed.

3 * **Sec. 4.** AS 46.06.050(h) is amended to read:

4 (h) Except as provided in (i) of this section, a person who violates the
5 provisions of (b) - (g) of this section is guilty of a violation, and, in addition to the
6 punishment imposed by AS 12.55.035(b)(7) [AS 12.55.035(b)(5)], the court may
7 order a person who violates this section to gather and dispose of litter in an area and
8 for a length of time determined by the court.

9 * **Sec. 5.** AS 46.06.050(i) is amended to read:

10 (i) If a municipality of the state adopts an ordinance that prohibits the same
11 conduct prohibited by (b) - (g) of this section, a violation of (b) - (g) of this section
12 that [WHICH] occurs in the municipality is punishable under the provisions of the
13 municipal ordinance if the punishment imposed under the ordinance is equal to or
14 greater than the punishment imposed by AS 12.55.035(b)(7) [AS 12.55.035(b)(5)].

15 * **Sec. 6.** The uncoded law of the State of Alaska is amended by adding a new section to
16 read:

17 **APPLICABILITY.** The amendments made by this Act apply to offenses committed
18 on or after the effective date of this Act.