



# LAWS OF ALASKA

2007

**Source**  
CSHB 133(FIN)

**Chapter No.**  
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## AN ACT

Relating to requiring electronic monitoring as a special condition of probation and parole for offenders whose offense was related to a criminal street gang.

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

THE ACT FOLLOWS ON PAGE 1



**AN ACT**

1 Relating to requiring electronic monitoring as a special condition of probation and parole for  
2 offenders whose offense was related to a criminal street gang.

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4 \* **Section 1.** AS 12.55.100 is amended by adding a new subsection to read:

5 (f) While on probation and as a special condition of probation for an offense  
6 where the aggravating factor provided in AS 12.55.155(c)(29) has been proven or  
7 admitted, the court shall require that the defendant submit to electronic monitoring.  
8 Electronic monitoring under this subsection must provide for monitoring of the  
9 defendant's location and movements by Global Positioning System technology. The  
10 court shall require a defendant serving a period of probation with electronic  
11 monitoring as provided under this subsection to pay all or a portion of the costs of the  
12 electronic monitoring, but only if the defendant has sufficient financial resources to  
13 pay the costs or a portion of the costs. A defendant subject to electronic monitoring  
14 under this subsection is not entitled to a credit for time served in a correctional facility

1 while the defendant is on probation. In this subsection, "correctional facility" has the  
2 meaning given in AS 33.30.901.

3 \* **Sec. 2.** AS 33.16.150 is amended by adding a new subsection to read:

4 (g) In addition to other conditions of parole imposed under this section for a  
5 prisoner serving a sentence for an offense where the aggravating factor provided in  
6 AS 12.55.155(c)(29) has been proven or admitted, the board shall impose as a  
7 condition of special medical, discretionary, and mandatory parole a requirement that  
8 the prisoner submit to electronic monitoring. Electronic monitoring under this  
9 subsection must provide for monitoring of the prisoner's location and movements by  
10 Global Positioning System technology. The board shall require a prisoner serving a  
11 period of probation with electronic monitoring as provided under this subsection to  
12 pay all or a portion of the costs of the electronic monitoring, but only if the prisoner  
13 has sufficient financial resources to pay the costs or a portion of the costs. A prisoner  
14 subject to electronic monitoring under this subsection is not entitled to a credit for  
15 time served in a correctional facility while the defendant is on parole. In this  
16 subsection, "correctional facility" has the meaning given in AS 33.30.901.

17 \* **Sec. 3.** AS 12.55.100(f) and AS 33.16.150(g) are repealed December 31, 2012.