

HOUSE BILL NO. 170

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE CHENAULT

Introduced: 3/9/09

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act repealing the authority for day fines."**

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

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

4 (a) **Upon** [EXCEPT AS PROVIDED IN AS 12.55.036, UPON] conviction of
5 an offense, a defendant may be sentenced to pay a fine as authorized in this section or
6 as otherwise authorized by law.

7 * **Sec. 2.** AS 12.55.035(b) is amended to read:

8 (b) **Upon** [EXCEPT AS PROVIDED IN AS 12.55.036, UPON] conviction of
9 an offense, a defendant who is not an organization may be sentenced to pay, unless
10 otherwise specified in the provision of law defining the offense, a fine of no more than

11 (1) \$500,000 for murder in the first or second degree, attempted
12 murder in the first degree, murder of an unborn child, sexual assault in the first degree,
13 sexual abuse of a minor in the first degree, kidnapping, promoting prostitution in the
14 first degree under AS 11.66.110(a)(2), or misconduct involving a controlled substance
15 in the first degree;

- 1 (2) \$250,000 for a class A felony;
- 2 (3) \$100,000 for a class B felony;
- 3 (4) \$50,000 for a class C felony;
- 4 (5) \$10,000 for a class A misdemeanor;
- 5 (6) \$2,000 for a class B misdemeanor;
- 6 (7) \$500 for a violation.

7 * **Sec. 3.** AS 12.55.035(c) is amended to read:

8 (c) **Upon** [EXCEPT AS PROVIDED IN AS 12.55.036, UPON] conviction of
9 an offense, a defendant that is an organization may be sentenced to pay a fine not
10 exceeding the greater of

11 (1) an amount that is

12 (A) \$1,000,000 for a felony offense or for a misdemeanor
13 offense that results in death;

14 (B) \$200,000 for a class A misdemeanor offense that does not
15 result in death;

16 (C) \$25,000 for a class B misdemeanor offense that does not
17 result in death;

18 (D) \$10,000 for a violation;

19 (2) three times the pecuniary gain realized by the defendant as a result
20 of the offense; or

21 (3) three times the pecuniary damage or loss caused by the defendant
22 to another, or to the property of another, as a result of the offense.

23 * **Sec. 4.** AS 12.55.015(a)(1)(B) and 12.55.036 are repealed.