

HOUSE BILL NO. 98

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE RAMRAS

Introduced: 1/28/09

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to minor consuming and repeat minor consuming; and providing for
2 an effective date."

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

4 * **Section 1.** AS 04.16.050(c) is amended to read:

5 (c) A person is guilty of repeat minor consuming or in possession or control if
6 the person was **previously granted a suspended imposition of sentence** [PLACED
7 ON PROBATION] under (b)(1) of this section, **has a prior conviction under (b)(2)**
8 **of this section**, or has been previously convicted once, and the person violates (a) of
9 this section. Upon conviction in the district court, the court shall

- 10 (1) impose a fine of \$1,000 and require at least 48 hours of community
11 work;
- 12 (2) revoke the person's driver's license for three months;
- 13 (3) take possession of the person's driver's license; and
- 14 (4) suspend up to \$500 of the fine and place the person on probation

1 for up to one year under (e) of this section.

2 * **Sec. 2.** AS 04.16.050(d) is amended to read:

3 (d) A person is guilty of habitual minor consuming or in possession or control
4 if the person **has a prior conviction** [WAS PLACED ON PROBATION] under (c) of
5 this section, or has been previously convicted **two or more times** [TWICE], and the
6 person violates (a) of this section. Habitual minor consuming or in possession or
7 control is a class B misdemeanor. Upon conviction, the court may impose an
8 appropriate period of imprisonment and fine and place the person on probation under
9 (e) of this section for one year, or until the person is 21 years of age, whichever is
10 later, and shall

11 (1) impose at least 96 hours of community work;

12 (2) revoke the person's driver's license for six months;

13 (3) within five working days, notify the agency responsible for the
14 administration of motor vehicle laws of the revocation; and

15 (4) take possession of the person's driver's license.

16 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).