

SB91 PROVISIONS EMANATING FROM PRE-JRI ACJC RECOMMENDATIONS

(Hypertext links to original ACJC proposal)

Recommendation	In SB91?	Comments
Food Stamps 1-2015	Yes, but in modified form. See Sec. 133.	Alaska is one of only six states that hasn't lifted or modified the lifetime ban against drug offenders receiving SNAP. It is one of thirteen that hasn't lifted or eased the ban against drug offenders receiving TANF (Temporary Aid to Needy Families). This section of SB91 very substantially eases the absolute ban on the receipt of food stamps (SNAP) and TANF (Temporary Aid to Needy Families), and conditions eligibility on the satisfaction of certain conditions. ¹ In contrast, the ACJC only considered a proposal on Food Stamps, not TANF. The ACJC recommended ending the ban without attaching conditions.
CWS 4-2015	Yes, in Sec. 58. Subject matter of Sec. 50, 56, 57 were not discussed.	58 captures 4-2015 verbatim. Other CWS provisions were not requested by ACJC.
SIC 5-2015	Yes, but in modified form. See Sec. 59 ("Suspending entry of judgment")	There are differences between the ACJC recommendation and the proposal in this paragraph. The most significant change is that a defendant may not receive a "suspended entry of judgment" unless both s/he and the prosecutor agree to it. There is also a change in the applicable standard and findings required if a defendant has previously received a suspension of judgment before. Notably, however, without repealing the SIS, this section does provide a new mechanism for a court <u>"without imposing or entering a judgment of guilt [to] defer further proceedings and place the person on probation."</u> And "[i]f the court finds that the person has successfully completed probation, the court shall, at the end of the probationary period set by the court, or at any time after the expiration of one year from the date of the original probation, <u>discharge the person and dismiss the proceedings against the person.</u> "

¹ Sec. 133. AS 47.27.015 is amended by adding a new subsection to read:

[the ban on eligibility is maintained]

(i)... unless the person demonstrates, to the satisfaction of the department, that the person (1) is satisfactorily serving, or has successfully completed, a period of probation or parole;

(2) is in the process of serving, or has successfully completed, mandatory participation in a drug or alcohol treatment program; or

(3) has taken action toward rehabilitation, including participation in a drug or alcohol treatment program.

[emphasis added]