

Sponsor Statement for HB 396

The Justin Wollam Act

The [House Judiciary Committee](#) at the request of the Anchorage Police Department has introduced this legislation. [HB 396](#) will assist the [Department of Public Safety](#) and municipalities with the purchasing of equipment that will assist in the preclusion of alcohol related offenses throughout the state.

HB 396 creates a \$100 surcharge for the following offenses if a defendant pleads guilty or nolo contendere to, forfeits bail for, or is convicted of:

1. an offense listed in [AS 04](#) (Alcoholic Beverages)
2. an offense listed in [AS 28](#) (Motor Vehicles) that includes ingestion or possession of alcohol as an element of the offense,
3. a regulation adopted under [AS 28](#) that includes ingestion or possession of alcohol as an element of the offense, or
4. a municipal ordinance under [AS 28.01.010](#) that includes ingestion or possession of alcohol as an element of the offense

The surcharge cannot be waived, deferred, or suspended. The court may allow a defendant who is unable to pay the surcharge to perform community work in lieu of the surcharge.

In addition to the surcharge, HB 396 creates an Alaska alcohol offense equipment fund in the general fund. The fund consists of appropriations made by the legislature to the fund. The legislature may appropriate to the fund the annual estimated balance in the account created for the collection of this new surcharge. The legislature may make appropriations from the fund to the Department of Public Safety, and municipalities, for the purchase of law enforcement equipment that will assist in the enforcement and prevention of alcohol-related offenses.

If enacted, this new law shall be referred to as “The Justin Wollam Act” in honor of Anchorage Police Officer Wollam who was killed in the line of duty on July 9, 2001 by a drunk driver.

The committee urges your support of this bill.