

# Sponsor Statement for SB 339

## Increase Criminal Fines

### *An Act increasing fines for certain criminal offenses.*

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Senate Bill 339 increases maximum criminal fines that may be imposed on an individual or organization for certain criminal offenses. Alaska has not increased the maximum criminal fine amounts on individuals since the revision of the Alaska Criminal Code in 1978. Inflation since 1978 has been 215 percent. Alaska has not increased the maximum criminal fine amount on organizations since 1990. Inflation since 1990 has been 46 percent.

In existing law, the maximum allowable criminal fine to an individual who is convicted of an unclassified felony under AS 12.55.035(a) is \$75,000. Senate Bill 339 would increase this maximum criminal fine to \$500,000.

The existing maximum allowable criminal fine imposed on an individual for a Class A, B or C Felony is \$50,000. Senate Bill 339 separates and imposes a maximum allowable criminal fine for each class individually: a Class A felony maximum fine is increased to \$250,000; a Class B felony maximum fine is \$100,000 and a Class C felony maximum fine is left at \$50,000. For a Class A misdemeanor, the maximum fine is increased to \$10,000 and the maximum fine for a Class B misdemeanor is increased to \$2,000. A violation maximum fine is increased to \$500.

### Maximum Criminal Fines Imposed on an Individual

	Existing	Proposed
Unclassified Felony	\$ 75,000.00	\$500,000.00
Class A Felony	\$ 50,000.00	\$250,000.00
Class B Felony	\$ 50,000.00	\$100,000.00
Class C Felony	\$ 50,000.00	\$ 50,000.00
Class A Misdemeanor	\$ 5,000.00	\$ 10,000.00
Class B Misdemeanor	\$ 1,000.00	\$ 2,000.00
Violation	\$ 300.00	\$ 500.00

The current maximum allowable fine imposed on an organization convicted of a felony or a misdemeanor resulting in death (AS 12.55.035(b)) is the greater of \$500,000 or twice the pecuniary gain of a defendant or pecuniary loss to the victim as a result of that offense. Senate Bill 339 increases the maximum fine under AS 12.55.035(b) that may be imposed to the greater of \$1,000,000 or three times the pecuniary gain or loss.

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This legislation applies only to offenses committed on or after its effective date. The fine amounts are not mandatory; they are the maximum amounts allowed to be imposed. Judges retain their discretion to set the fines based on the conditions surrounding individual offenses.

The sponsor recognizes that most criminals will not be able to pay the higher of these increased fines. But, those that can pay should be subject to meaningful fines. Increasing the maximum allowable fines that may be imposed for committing criminal offenses will hopefully help to deter crime. Additionally, these higher fines will help reimburse the state for the costs of the criminal justice system.

DD/mjw