

HOUSE CS FOR SENATE BILL NO. 268(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/15/00

Referred: Rules

Sponsor(s): SENATORS DONLEY, Taylor, Halford, Leman

REPRESENTATIVE Masek

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to mandatory 99-year terms of imprisonment for persons
2 convicted of certain murders."

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

4 * **Section 1.** AS 12.55.125(a) is amended to read:

5 (a) A defendant convicted of murder in the first degree shall be sentenced to
6 a definite term of imprisonment of at least 20 years but not more than 99 years. A
7 defendant convicted of murder in the first degree shall be sentenced to a mandatory
8 term of imprisonment of 99 years when

9 (1) the defendant is convicted of the murder of a uniformed or
10 otherwise clearly identified peace officer, fire fighter, or correctional employee who
11 was engaged in the performance of official duties at the time of the murder;

12 (2) the defendant has been previously convicted of

13 (A) murder in the first degree under AS 11.41.100 or former
14 AS 11.15.010 or 11.15.020;

1 (B) murder in the second degree under AS 11.41.110 or former
2 AS 11.15.030; or

3 (C) homicide under the laws of another jurisdiction when the
4 offense of which the defendant was convicted contains elements similar to first
5 degree murder under AS 11.41.100 or second degree murder under
6 AS 11.41.110; [OR]

7 (3) the court finds by clear and convincing evidence that the defendant
8 subjected the murder victim to substantial physical torture; or

9 **(4) the defendant is convicted of the murder of and personally, by**
10 **an act of the defendant, caused the death of a person, other than a participant,**
11 **during a robbery.**

12 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section
13 to read:

14 **APPLICABILITY.** This Act applies to offenses committed on or after the effective
15 date of this Act.