

ALASKA STATE LEGISLATURE

Session
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Interim
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Representative Chuck Kopp

House Majority Leader · District 10 · Oceanview/Old Seward, Bayshore/Klatt

Sectional Analysis for HB 39 – Version N

"An Act relating to criminally negligent homicide; relating to the duty of an operator immediately after an accident; and providing for an effective date."

SECTION 1 — Purpose

The purpose of this Act is to ensure that defendants whose criminally negligent conduct causes the death of another person, and who also fail to render aid, receive penalties that reflect the gravity of the combined offenses. This Act creates an aggravated form of criminally negligent homicide, increases presumptive ranges for such crimes, and requires certain consecutive sentencing to protect public safety better and deter flight from accident scenes.

SECTION 2 — Amend AS 11.41.130 (Criminally Negligent Homicide)

(c) Aggravated Criminally Negligent Homicide — A person commits aggravated criminally negligent homicide if:

1. The person, while operating a motor vehicle, causes the death of another by criminal negligence; **and**
2. The person knowingly fails to stop and render reasonable assistance as required under AS 28.35.060.

(d) Aggravated criminally negligent homicide under (c) is a **Class A felony**.

SECTION 3 — Amend AS 28.35.060 (Duty to Give Information and Render Aid)

(g) If a violation of this section occurs in connection with conduct constituting criminally negligent homicide under AS 11.41.130, the offense is a **Class A felony** and must be sentenced under AS 12.55.125(c).

SECTION 4 — Amend AS 12.55.125 (Sentences of Imprisonment for Felonies)

(c) For a first felony conviction of aggravated criminally negligent homicide under AS 11.41.130(c) or failure to render aid under AS 28.35.060(g), the presumptive range is **7 to 11 years**.

SECTION 5 — Mandatory Consecutive Sentencing

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Add new subsection to **AS 12.55.025**:

(o) When a defendant is convicted of both aggravated criminally negligent homicide under AS 11.41.130(c) and failure to render aid under AS 28.35.060(g) for conduct arising out of the same incident, the court shall impose the sentence for the failure to render aid consecutively to the sentence for aggravated criminally negligent homicide. The composite active term may not be less than **10 years**.

SECTION 6 — Effective Date

This Act takes effect **July 1, 2026**.