

AMENDMENT

OFFERED IN THE HOUSE

TO: HB 127

Page 9, following line 6:

Insert a new bill section to read:

"* Sec. 14. AS 47.12.030(a) is amended to read:

(a) When a minor who was at least 16 years of age at the time of the offense is charged by complaint, information, or indictment with an offense specified in this subsection, this chapter and the Alaska Delinquency Rules do not apply to the offense for which the minor is charged or to any additional offenses joinable to it under the applicable rules of court governing criminal procedure. The minor shall be charged, held, released on bail, prosecuted, sentenced, and incarcerated in the same manner as an adult. If the minor is convicted of an offense other than an offense specified in this subsection, the minor may attempt to prove, by a preponderance of the evidence, that the minor is amenable to treatment under this chapter. If the court finds that the minor is amenable to treatment under this chapter, the minor shall be treated as though the charges had been heard under this chapter, and the court shall order disposition of the charges of which the minor is convicted under AS 47.12.120(b). The provisions of this subsection apply when the minor is charged by complaint, information, or indictment with an offense

(1) that is an unclassified felony or a class A felony and the felony is a crime against a person, **other than a violation of AS 11.41.455;**

(2) of arson in the first degree;

(3) that is a class B felony and the felony is a crime against a person in which the minor is alleged to have used a deadly weapon in the commission of the offense and the minor was previously adjudicated as a delinquent or convicted as an

1 adult, in this or another jurisdiction, as a result of an offense that involved use of a
2 deadly weapon in the commission of a crime against a person or an offense in another
3 jurisdiction having elements substantially identical to those of a crime against a
4 person, and the previous offense was punishable as a felony; in this paragraph, "deadly
5 weapon" has the meaning given in AS 11.81.900(b); or

6 (4) that is misconduct involving weapons in the first degree under

7 (A) AS 11.61.190(a)(1); or

8 (B) AS 11.61.190(a)(2) when the firearm was discharged under
9 circumstances manifesting substantial and unjustifiable risk of physical injury
10 to a person."
11

12 Renumber the following bill sections accordingly.
13

14 Page 9, line 9:

15 Delete "Sections 1 - 12"

16 Insert "Sections 1 - 12 and 14"