

AMENDMENT #1 Adopted

OFFERED IN THE HOUSE  
TO: CSHB 14(STA)

BY REPRESENTATIVE CLAMAN

- 1 Page 2, lines 22 - 23:
- 2 Delete "causing the victim to come into contact with ejaculate"
- 3 Insert "ejaculating on the victim"

AMENDMENT

#2 Adopted

OFFERED IN THE HOUSE  
TO: CSHB 14(STA)

BY REPRESENTATIVE LINCOLN

1 Page 1, line 2:

2 Delete "and"

3

4 Page 1, line 3, following "unconsciousness":

5 Insert "; relating to the duties of the prosecuting attorney; and relating to victim  
6 notifications"

7

8 Page 7, following line 26:

9 Insert new bill sections to read:

10 "\*\* Sec. 5. AS 12.61.015(a) is amended to read:

11 (a) If a victim of a felony, a sex offense as defined in AS 12.63.100, or a  
12 crime involving domestic violence requests, the prosecuting attorney shall make a  
13 reasonable effort to

14 (1) confer with the person against whom the offense has been  
15 perpetrated about that person's testimony before the defendant's trial;

16 (2) in a manner reasonably calculated to give prompt actual notice,  
17 notify the victim

18 (A) of the defendant's conviction and the crimes of which the  
19 defendant was convicted;

20 (B) of the victim's right in a case that is a felony to make a  
21 written or oral statement for use in preparation of the defendant's presentence  
22 report, and of the victim's right to appear personally at the defendant's  
23 sentencing hearing to present a written statement and to give sworn testimony

1 or an unsworn oral presentation;

2 (C) of the address and telephone number of the office that will  
3 prepare the presentence report; and

4 (D) of the time and place of the sentencing proceeding;

5 (3) notify the victim in writing of the final disposition of the case  
6 within 30 days after final disposition of the case;

7 (4) confer with the victim or the victim's legal guardian concerning a  
8 proposed plea agreement before entering into the plea [AN] agreement to ask the  
9 victim or the victim's legal guardian whether the victim is in agreement with the  
10 proposed plea agreement; the prosecuting attorney shall record whether the  
11 victim or the victim's legal guardian is in agreement with the proposed plea  
12 agreement;

13 (5) inform the victim of a pending motion that may substantially delay  
14 the prosecution and inform the court of the victim's position on the motion; in this  
15 paragraph, a "substantial delay" is

16 (A) for a misdemeanor, a delay of one month or longer;

17 (B) for a felony, a delay of two months or longer; and

18 (C) for an appeal, a delay of six months or longer.

19 \* Sec. 6. AS 12.61.015 is amended by adding new subsections to read:

20 (d) The court may reschedule a hearing to consider a plea agreement as needed  
21 to allow additional time to comply with the victim notification requirements under  
22 (a)(2) and (4) of this section.

23 (e) Nothing in this section requires a victim or a victim's legal guardian to  
24 provide a response to a prosecuting attorney regarding a plea agreement or requires the  
25 prosecuting attorney to be bound by the victim's or legal guardian's response regarding  
26 the plea agreement."

27  
28 Renumber the following bill section accordingly.