

# ALASKA STATE LEGISLATURE



## REPRESENTATIVE JOHN LINCOLN

### Summary of Changes House Bill 14 Version K to Version O

**Section 1:** No change.

**Initial Section 2 (Version K):** The initial version of the bill created a new crime of sexual assault in the third degree for a circumstance where a person masturbates in the presence of another person and ejaculates on that person without their consent. The current version addresses unwanted contact with ejaculate in Section 3 by adding it to the statutory definition of “sexual contact”.

**Current Section 2 (Version O):** Clarifies that “dangerous instrument” with relation to strangulation includes hands or “other body parts”.

**Initial Section 3 (Version K):** The initial version of the bill created a new crime of sexual abuse of a minor in the third degree for a circumstance where a person masturbates in the presence of a minor and ejaculates on that person without their consent. The current version addresses unwanted contact with ejaculate in Section 3 by adding it to the statutory definition of “sexual contact”.

**Current Section 3 (Version O):** Adds “knowingly ejaculating on the victim” in the statutory definition of “sexual contact” under AS 11.81.900(b)(60).

**Initial Section 4 (Version K):** Clarified that “dangerous instrument” with relation to strangulation includes hands or “other body parts”. This language is found in Section 2 of the current version.

**Current Section 4 (Version O):** Adds strangulation to the point of unconsciousness to the list of aggravating factors to be considered at sentencing.

**Initial Section 5 (Version K):** Included the new crime established in former Section 2 in the 10-year statute of limitations.

**Current Section 5 (Version O):** Includes *all* sex offenses in the victim notification statute. The statute currently requires notification to only victims of felonies and domestic violence. Sex offenses including Sexual Abuse of a Minor IV, Sexual Assault IV, Attempted Sexual Abuse of a Minor III, and Attempted Sexual Assault III are classified as misdemeanors and do not currently provide the victims with statutorily required notification throughout the legal process.

# ALASKA STATE LEGISLATURE



## REPRESENTATIVE JOHN LINCOLN

This section further provides that the prosecuting attorney will confer with the victim (or their legal guardian) on a proposed plea agreement, and record whether the victim supports the proposed plea agreement.

**Initial Section 6 (Version K):** Added strangulation to the point of unconsciousness to the list of aggravating factors to be considered at sentencing. This language is found in Section 4 of the current version.

**Current Section 6 (Version O):** Adds two new sections to AS 12.61.015. Subsection (d) stipulates that a court can reschedule a plea agreement hearing for a later date if the prosecuting attorney has not fulfilled the victim notification requirements. Subsection (e) clarifies that nothing in this legislation would require a victim to provide a response regarding a plea agreement, nor would the victim's response bind the prosecutor to accept or reject the plea agreement.

**Initial Section 7 (Version K):** Established that the provisions are applicable only to crimes committed on or after the effective date of the legislation.

**Initial Section 7 (Version O):** Established that the provisions are applicable only to crimes committed on or after the effective date of the legislation.