

**CS FOR HOUSE BILL NO. 74(FIN)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**NINETEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Offered: 2/23/95**

**Referred: Rules**

**Sponsor(s): REPRESENTATIVES BUNDE, Green, Toohey, Kubina, B.Davis, Rokeberg, Kohring, Ogan**

**SENATORS Pearce, Halford, Green, Miller, Kelly, Torgerson, Rieger, Frank, Sharp, Duncan, Zharoff**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the assault of children by adults."**

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

3 **\* Section 1.** AS 11.41.220(a) is amended to read:

4 (a) A person commits the crime of assault in the third degree if that person

5 (1) recklessly

6 (A) places another person in fear of imminent serious physical  
7 injury by means of a dangerous instrument;

8 (B) causes physical injury to another person by means of a  
9 dangerous instrument; or

10 (C) while being 18 years of age or older

11 (i) causes physical injury to a child under 10 years of age  
12 and the injury reasonably requires medical treatment;

13 (ii) causes physical injury to a child under 10 years of  
14 age on more than one occasion; [OR]

15 (2) with intent to place another person in fear of death or serious

1 physical injury to the person or the person's family member makes repeated threats to  
2 cause death or serious physical injury to another person; **or**

3 **(3) while being 18 years of age or older, knowingly causes physical**  
4 **injury to a child under 16 years of age but at least 10 years of age and the injury**  
5 **reasonably requires medical treatment.**

6 \* **Sec. 2.** AS 11.41.220 is amended by adding a new subsection to read:

7 (d) In a prosecution under (a)(3) of this section, it is an affirmative defense  
8 that, at the time of the alleged offense, the defendant reasonably believed the victim  
9 to be 16 years of age or older, unless the victim was under 13 years of age at the time  
10 of the alleged offense.