



ALASKA STATE LEGISLATURE

Senate Judiciary Committee

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Chairman

State Capitol, Room 429

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HB 239: CRIM. NEG. HOMICIDE; FAILURE TO ASSIST Overview of Changes from Version G to Version H

Changes to House Bill 101 provisions

Clean-up language suggested by Department of Law. Previous language legalized conduct that is presently illegal. Changes correct these errors.

- Section 12. AS 11.41.452 Enticement of a minor.
- Section 25 & 26. AS 11.61.124 Solicitation or production of an indecent picture of a minor
- Section 30. AS 11.61.128 Distribution of indecent material to minors.

Changes to Senate Bill 100 provisions

Only keeping change to AS 11.46.140(a), establishing mail theft.

- Deleting previous Section 19 & 20 from HB 239 version G.

Sections 30

Amends AS 11.61.128(a)

- Page 19, lines 8-9

Insert: **or G) contact with semen;**

Sections 35-37

Amends cruelty to animals to criminalize possessing images of sexual conduct with animals.

- Page 19, lines 12-31; page 20 lines 1-2, 5, 16. Amends AS 11.61.140(a), to add:
;or (8) under circumstances not proscribed under AS 11.61.122 or 11.61.127, knowingly possesses or knowingly access on a computer with intent to view
(A) the average person, applying contemporary community standards, would find, when considered as a whole, appeals to the prurient interest;
(B) depicts, in a patently offensive way, conduct proscribed under (6)(A) of this subsection; and
(C) when considered as a whole, lacks serious literary, artistic, political, or scientific value.
- Amends AS 11.61.140(g), to add new **(8)**.
- Amends AS 11.61.140(h), to add new **(8)**.

Section 38

Amends AS 11.66.100(c) by adding new (A).

- Page 20, line 31
Insert: “**(A) was at the time of the offense, 17 years of age or older; or**”

Section 47

Updates to the felony sentencing statute.

- Page 29, line 18
Delete: “AS 11.66.137”
Insert: “**AS 11.66.137(c)(1)**”
- Page 30, line 8
Delete: “AS 11.66.137”
Insert: “**AS 11.66.137(c)(2)**”
- Page 30, line 12
Delete: “AS 11.66.137”
Insert: “**AS 11.66.137(c)(1)**”

Section 48 & 64

Corrections to criminally negligent homicide and failure to assist provisions.

- Page 32, line 9
Insert: “**AS 28.35.050 or AS 28.35.060**”
- Page 48, line 48, following “assistance”
Insert: “in an accident resulting in death”

Section 66

Adds new bill section by adding new section to AS 33.30 Prison Facilities and Prisoners.

- Page 51, lines 12-31, Page 52, lines 1-6
Insert: **Sec 33.30.068 Medical release for service of sentence by electronic monitoring.** (a)
Notwithstanding other provisions of law, the commissioner may authorize medical release for a prisoner if
 - (1) after evaluation, the chief medical officer for the department finds that the prisoner
 - (A) has a permanent or degenerative medical condition and, as a result of the condition, the prisoner will not pose a threat of harm to the public if released on electronic monitoring; or
 - (B) is in poor health and, as a result, the prisoner will not pose a threat of harm to the public if released on electronic monitoring; and
 - (2) the medical release will result in cost savings to the state.

(b) The commissioner shall require a prisoner released under this section to be placed on electronic monitoring. If the electronic monitoring equipment would be detrimental to the prisoner's health, would interfere with the functioning of the prisoner's medical equipment, or would result in a loss of funding for the prisoner's medical care, the commissioner shall require an alternative type of monitoring. The electronic monitoring shall be administered by the department or by a private contractor approved by the department under AS 33.30.011(a)(10)(B) and shall be designed so that

any attempt to remove, tamper with, or disable the monitoring equipment or to leave the place selected for the service of the term or period will result in a report or notice to the department.

(c) A decision by the commissioner to authorize a prisoner for medical release for service of sentence by electronic monitoring does not create a liberty interest in that status for the prisoner. The prisoner may be returned to a correctional facility at the discretion of the commissioner.

Effective Dates

Previous immediate effective dates have been replaced with July 1, 2026 effective dates.