

ALASKA STATE LEGISLATURE

Session
State Capitol, Rm 204
Juneau, AK 99801
907-465-3892



Interim
1500 W Benson Boulevard
Anchorage, AK 99503
907-269-0234

Representative Chuck Kopp

House Majority Leader · District 10 · Oceanview/Old Seward, Bayshore/Klatt

Statement of Changes from

CSHB 239 (JUD) (34- LS1102I)

to

SCS CSHB 239(JUD) (34- LS1102\G)

"An Act relating to civil claims by victims of sexual abuse of a minor; relating to crime and criminal procedures; relating to homicide; relating to assault; relating to sexual assault; relating to stalking; relating to sexual abuse of a minor; relating to enticement and unlawful exploitation of a minor; relating to endangering the welfare of a child; relating to indecent exposure; relating to theft; relating to generated obscene child sexual abuse material; relating to sending an explicit image of a minor; relating to solicitation or production of an indecent picture of a minor; relating to distribution of indecent material to minors; relating to the Controlled Substances Advisory Committee; relating to the testimony of children in criminal proceedings; relating to sentencing; relating to sexual assault examination kits; restricting the release of certain records of convictions; relating to teaching certificates; relating to the definition of "Victim Counseling Center" for disclosure of certain communications concerning sexual assault or domestic violence; relating to motor vehicle offenses; relating to licensing of school bus drivers; and providing for an effective date."

**Note: The following sectional summary reflects ten different crime and justice bills' sections incorporated into version SCS CSHB 239(JUD), version G, as shown below:*

Section 1. HB 101 - Civil claims age threshold. Raises age of minors from 16 to 18 for civil sexual abuse claims (AS 09.55.650)

Sections 2-3. HB 101 - Felony murder — children. First and second-degree murder child-victim provisions updated from under 16 to under 18

Sections 4-5. HB 101 - Assault in the third degree. Age threshold raised to 18; affirmative defense of victim's age updated accordingly

Section 6. HB 101 - Stalking in the first degree. Victim-is-a-minor provision updated from under 16 to under 18

Sections 7-8. HB 242 - Sexual assault: health care workers. Removes patient-unawareness element; offender is liable regardless of patient awareness during treatment

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Sections 9-11. HB 101 - Sexual abuse of a minor. First, second, and third degree: age thresholds updated from 16 to 18 throughout

Sections 12-15. HB 101 & SB 247 - Enticement of a minor. Victim/believed-victim age threshold raised from 16 to 18; adds contact with semen (item 8) to listed acts

Section 16. SB 247 - Unlawful exploitation of a minor. Adds contact with semen as item (8) to list of covered sexual conduct.

Sections 17-18. HB 101 - Indecent exposure. First and second degree: victim age raised from 16 to 18 for enhanced penalties

Section 19. SB 100 - Organized theft. New Class A felony for coordinated theft with a group of 3+ prior offenders

Sections 20-21. SB 100 - Theft in second/third degree. Adds medical records to second-degree; streamlines third-degree; adds mail theft

Section 22. HB 101 - Endangering welfare of a child. Child-in-care age threshold raised from 16 to 18

Section 23. HB 101 - Sending explicit image of minor. Age at time of image raised from under 16 to under 18

Sections 24-25. SB 247 - Harassment statutes. Cross-reference updates to include new CSAM sections in proscribed-circumstances language

Sections 26-27. SB 247 & HB 101 - AI-generated CSAM New crimes: possession (Class C felony) and distribution (Class B/A felony) of generated obscene child sexual abuse material

Sections 27-28. HB 101 - Solicitation/production of indecent pictures. Age threshold for victim/believed victim raised from 16 to 18

Sections 29-31. SB 247 - Real CSAM statutes. Cross-elevations to Class A felony for repeat offenders; ISP exemption harmonized; contact with semen added to conduct list

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Sections 32-35. HB 101 - Distribution of indecent material to minors. Recipient age raised from 16 to 18 throughout; definition of harmful to minors updated

Section 36. SB 247 - Forfeiture. Expands forfeiture to property used to aid violations of new AI-generated CSAM statutes

Section 37. SB 247 - Sex trafficking immunity. Adds AI-generated CSAM distribution and possession to list of crimes a witness/victim can report without prosecution

Section 38. SB 233 - Controlled Substances Advisory Committee. Moves committee from Dept. of Law to Dept. of Commerce professional licensing division

Section 39. SB 247 Statute of limitations. Adds AI-generated CSAM distribution to crimes with no statute of limitations

Section 40. HB 101 - Child testimony procedures. Threshold for closed-circuit testimony raised from under 16 to under 18

Sections 41-43. SB 247 - Sentencing: deferred prosecution/probation. Adds new CSAM statutes to list of crimes ineligible for suspended sentence/deferred prosecution; updates probation conditions

Sections 44-46. HB 101 & SB 247 - Presumptive sentencing ranges. Integrates new CSAM offenses into AS 12.55.125 presumptive ranges; raises child-murder enhanced minimum to under 18

Sections 47-48. SB 247 - Consecutive sentencing. Adds new CSAM crimes to consecutive sentencing requirements

Sections 49-51. HB 101 & SB 247 Prior convictions / sexual felony definition. Updates lewd-and-lascivious age to 18; adds new crimes to 'sexual felony' definition

Section 52. HB 62 - Victims' rights. Adds right to be notified of sexual assault examination kit testing location and date

Sections 53-54. HB 81 Marijuana record restriction. Agencies may not release records for simple marijuana possession by adults on request; sunsets Jan 1, 2028

Section 55. SB 247 Serious offense definition. Adds new CSAM statutes; corrects cross-reference to AS 11.51.200

Rep.Chuck.Kopp@akleg.gov

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Sections 56-57. HB 101 & SB 247 - Sex offender registration. Indecent exposure victims raised to 18; new CSAM offenses added as triggering crimes

Section 58. SB 247 Teaching certificates. Adds new CSAM convictions to mandatory lifetime revocation list

Section 59. HB 384 - Victim counseling center definition. Clarifying amendment;

Section 60. SB 247 - School bus driver licensing. Adds new CSAM convictions to disqualifying offenses

Sections 61-63. SB 265 - Hit-and-run (AS 28.35.060). Failure to render aid now a Class A felony when death results; Class B retained for other failures to assist

Section 64. SB 17 - Airbag fraud. New crime: selling/installing counterfeit/nonfunctioning airbags; Class A misdemeanor, Class C felony if death or serious injury results

Section 65. SB 247 - Internet service subpoenas. Adds new CSAM statutes to administrative subpoena authority for ISP records

Sections 66-70. HB 62 - Sexual assault examination kit. Restructures testing/notification deadlines; healthcare providers must notify law enforcement within 14 days

Section 71. HB 62 - SAEK tracking system. Creates confidential statewide tracking portal for rape kits accessible to victims (AS 44.41.067)

Sections 72-73. SB 247 Juvenile proceedings. Adds AI-generated CSAM distribution to offenses triggering public juvenile hearings and public disclosure

Sections 74-76. HB 101, HB 62, HB 81 Repeals and sunsets. Repeals outdated subsections; sunsets annual reporting requirement Jul 1, 2026; sunsets marijuana record restriction Jan 1, 2028

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Sections 77-81. HB 101, HB 242, SB 247, SB 265, SB 100, HB 384, HB 81, HB 62, Applicability and effective dates. Sets applicability rules for each section; staggered effective dates for different provisions