

AMENDMENT #1

OFFERED IN THE HOUSE
TO: HB 67

BY REPRESENTATIVE VANCE

1 Page 2, line 2:

2 Delete "sec. 12"

3 Insert "sec. 13"

4

5 Page 2, following line 28:

6 Insert a new bill section to read:

7 "** Sec. 3. AS 12.45.045(a) is amended to read:

8 (a) In prosecutions for the crimes of sexual assault in any degree, sexual abuse
9 of a minor in any degree, unlawful exploitation of a minor, sex trafficking in any
10 degree, or an attempt to commit any of these crimes, evidence of the sexual conduct
11 of the complaining witness, occurring either before or after the offense charged, may
12 not be admitted nor may reference be made to it in the presence of the jury except as
13 provided in this section. When the defendant seeks to admit the evidence for any
14 purpose, the defendant shall apply for an order of the court not later than five days
15 before trial or at a later time as the court may, for good cause, permit. The defendant
16 may, for good cause shown, apply for an order during trial if the request is based on
17 information learned after the deadline or during the trial. After the application is made,
18 the court shall conduct a hearing in camera to determine the admissibility of the
19 evidence. If the court finds that evidence offered by the defendant regarding the sexual
20 conduct of the complaining witness is relevant, and that the probative value of the
21 evidence offered is not outweighed by the probability that its admission will create
22 undue prejudice, confusion of the issues, or unwarranted invasion of the privacy of the
23 complaining witness, the court shall make an order stating what evidence may be

1 introduced and the nature of the questions that may be permitted. The defendant may
2 then offer evidence under the order of the court."

3

4 Renumber the following bill sections accordingly.

5

6 Page 8, line 12:

7 Delete "20"

8 Insert "21 [20]"

9

10 Page 9, line 16:

11 Delete "20"

12 Insert "21 [20]"

13

14 Page 13, line 2:

15 Delete "sec. 3"

16 Insert "sec. 4"

17

18 Page 13, lines 2 - 3:

19 Delete "sec. 9"

20 Insert "sec. 10"

21

22 Page 13, line 5:

23 Delete "sec. 4"

24 Insert "sec. 5"

25 Delete "sec. 5"

26 Insert "sec. 6"

27

28 Page 13, line 6:

29 Delete "sec. 6"

30 Insert "sec. 7"

31

1 Page 13, line 9:
2 Delete "sec. 7"
3 Insert "sec. 8"
4
5 Page 13, line 13:
6 Delete "sec. 7"
7 Insert "sec. 8"
8
9 Page 13, line 16:
10 Delete "sec. 8"
11 Insert "sec. 9"
12
13 Page 13, line 18:
14 Delete "sec. 12"
15 Insert "sec. 13"
16
17 Page 13, line 24:
18 Delete "sec. 12" in both places
19 Insert "sec. 13" in both places
20
21 Page 13, line 26:
22 Delete "2023"
23 Insert "2024"

