

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 140

BY REPRESENTATIVE RAMRAS

1 Page 1, line 1, following "cases;":

2 Insert "amending Rule 16, Alaska Rules of Criminal Procedure;"

3

4 Page 2, following line 8:

5 Insert new subsections to read:

6 "(g) Except as provided in (h) of this section, Rule 16, Alaska Rules of
7 Criminal Procedure, applies to discovery in cases where the defendant requests that
8 the jury be informed of the jury's power to judge the just application of the law and to
9 vote on the verdict according to conscience.

10 (h) At least 30 days before trial, the defendant shall disclose to the prosecution

11 (1) the defendant's intent to request that the jury be informed of the
12 jury's power to judge the just application of the law and to vote on the verdict
13 according to conscience;

14 (2) the legal theory of the defendant's claim that the law is unjustly
15 applied to the defendant;

16 (3) a list of witnesses, other than expert witnesses, that the defendant is
17 likely to call in support of the claim that the law is unjustly applied to the defendant."
18

19 Page 2, following line 8:

20 Insert a new bill section to read:

21 "** Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section the
22 read:

23 INDIRECT COURT RULE AMENDMENT. AS 12.45.017(g) and (h), added by sec.

- 1 1 of this Act, have the effect of amending Rule 16, Alaska Rules of Criminal Procedure, by
- 2 requiring certain disclosures by the defendant."
- 3
- 4 Renumber the following bill sections accordingly.