



SB 35 Sex Offenses Highlights

- ***Unwanted Contact With Semen*** - Amends the definition of “sexual contact” to include contact with semen making unwanted contact with semen a sex offense.
- ***Strangulation Sentencing*** - Creates an enhanced sentencing structure for assault in the second degree thus increasing the sentencing range for strangulation from 0-2 to 1-3 years.
- ***Sexual Abuse of a Minor Sentencing*** - Makes sexual abuse of a minor in the third degree a sexual felony when there is a 6 year age difference, thus increasing the sentencing range from 0-2 to 2-12 years.
- ***Presumptive Sex Offense Sentencing*** - Clarifies that *any* prior felony counts as a prior felony for presumptive sentencing purposes in sex cases. This means prior felonies, even when they are a non-sex felony, trigger an increased presumptive range for a sex offense.
- ***Out Of State Sex Offender Registration*** - Requires anyone convicted of a registerable sex offense in another state to register in Alaska if they are present in the Alaska.
- ***Indecent Viewing*** - Makes indecent viewing or production of a picture of a child a registerable sex offense. This conduct will also be sentenced as a sexual felony. Conduct involving the production of a picture of an adult would be a registerable sex offense, but sentenced as a regular class C felony.
- ***Soliciting Sex From A Minor*** - Deletes “online” from the crime of “online enticement of a minor” making any solicitation of a minor for sex a B felony.
- ***Unwanted Images Of Genitalia*** - Makes repeatedly sending unsolicited and unwanted images of genitalia to another person harassment in the second degree (B misdemeanor).
- ***Sex Offender Parole Eligibility*** - Clarifies that sex offenders who are ineligible for good time credit are also ineligible for discretionary parole.
- ***Marriage Defense to Sexual Assault*** - Repeals marriage as a defense to sexual assault except in cases where there is consent and the conduct is illegal due to the nature of the relationship but-for the marriage (probation officer/probationer, peace



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officer/person in custody, DJJ
officer/person 18 or 19 an under the jurisdiction of the Division of Juvenile Justice).

