31-LS0253\C Radford 4/26/19

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 20(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: Referred:

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Sponsor(s): REPRESENTATIVES TARR, Spohnholz, Tuck, Rauscher, Hopkins, Fields, Drummond, Rasmussen

A BILL

FOR AN ACT ENTITLED

"An Act relating to criminal law and procedure; relating to controlled substances; 2 relating to sentencing; requiring law enforcement agencies to test sexual assault 3 examination kits; requiring notification of completion of testing; relating to reports on untested sexual assault examination kits; amending Rule 6(r)(6), Alaska Rules of 4 5 Criminal Procedure; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 11.41.110(a) is amended to read:

(a) A person commits the crime of murder in the second degree if

(1) with intent to cause serious physical injury to another person or knowing that the conduct is substantially certain to cause death or serious physical injury to another person, the person causes the death of any person;

(2) the person knowingly engages in conduct that results in the death of another person under circumstances manifesting an extreme indifference to the

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value of human life;

(3) under circumstances not amounting to murder in the first degree under AS 11.41.100(a)(3), while acting either alone or with one or more persons, the person commits or attempts to commit arson in the first degree, kidnapping, sexual assault in the first degree, sexual assault in the second degree, sexual abuse of a minor in the first degree, sexual abuse of a minor in the second degree, burglary in the first degree, escape in the first or second degree, robbery in any degree, or misconduct AS 11.71.010(a), controlled involving а substance under 11.71.021(a), **11.71.030(a)(2) or (9)** [11.71.030(a)(1), (2), OR (4) - (8)], or 11.71.040(a)(1) or (2)and, in the course of or in furtherance of that crime or in immediate flight from that crime, any person causes the death of a person other than one of the participants;

(4) acting with a criminal street gang, the person commits or attemptsto commit a crime that is a felony and, in the course of or in furtherance of that crimeor in immediate flight from that crime, any person causes the death of a person otherthan one of the participants; or

(5) the person with criminal negligence causes the death of a child under the age of 16, and the person has been previously convicted of a crime involving a child under the age of 16 that was

(A) a felony violation of AS 11.41;

(B) in violation of a law or ordinance in another jurisdiction with elements similar to a felony under AS 11.41; or

(C) an attempt, a solicitation, or a conspiracy to commit a crime listed in (A) or (B) of this paragraph.

* Sec. 2. AS 11.41.150(a) is amended to read:

(a) A person commits the crime of murder of an unborn child if the person

(1) with intent to cause the death of an unborn child or of another person, causes the death of an unborn child;

(2) with intent to cause serious physical injury to an unborn child or to another person or knowing that the conduct is substantially certain to cause death or serious physical injury to an unborn child or to another person, causes the death of an unborn child;

(3) while acting alone or with one or more persons, commits or 1 2 attempts to commit arson in the first degree, kidnapping, sexual assault in the first 3 degree, sexual assault in the second degree, sexual abuse of a minor in the first degree, 4 sexual abuse of a minor in the second degree, burglary in the first degree, escape in the 5 first or second degree, robbery in any degree, or misconduct involving a controlled substance under AS 11.71.010(a), <u>11.71.021(a),</u> 11.71.030(a)(2) 6 or (9) 7 [11.71.030(a)(1), (2), OR (4) - (8)], or 11.71.040(a)(1) or (2), and, in the course of or in furtherance of that crime or in immediate flight from that crime, any person causes 8 9 the death of an unborn child; 10 (4) knowingly engages in conduct that results in the death of an unborn 11 child under circumstances manifesting an extreme indifference to the value of human 12 life; for purposes of this paragraph, a pregnant woman's decision to remain in a 13 relationship in which domestic violence, as defined in AS 18.66.990, has occurred 14 does not constitute conduct manifesting an extreme indifference to the value of human 15 life. * Sec. 3. AS 11.41.410(a) is amended to read: 16 17 (a) An offender commits the crime of sexual assault in the first degree if 18 (1) the offender engages in sexual penetration with another person 19 without consent of that person; 20 (2) the offender attempts to engage in sexual penetration with another 21 person without consent of that person and causes serious physical injury to that 22 person; 23 (3) the offender engages in sexual penetration with another person 24 (A) who [THE OFFENDER KNOWS] is mentally incapable; 25 and 26 (B) who is in the offender's care 27 (i) by authority of law; or 28 (ii) in a facility or program that is required by law to be 29 licensed by the state; or 30 (4) the offender engages in sexual penetration with a person who [THE 31 OFFENDER KNOWS] is unaware that a sexual act is being committed and

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1	(A)) the offender is a health care worker;	and
2	(B)	the offense takes place during the	course of professional
3	treatment of the vi	ctim.	
4	* Sec. 4. AS 11.41.420(a) is am	nended to read:	
5	(a) An offender co	ommits the crime of sexual assault in	the second degree if
6	(1) the off	fender engages in sexual contact with	another person without
7	consent of that person;		
8	(2) the off	ender engages in sexual contact with	a person
9	(A)	who [THE OFFENDER KNOWS]	is mentally incapable;
10	and		
11	(B)	who is in the offender's care	
12		(i) by authority of law; or	
13		(ii) in a facility or program that	is required by law to be
14	licensed by	the state;	
15	(3) the off	ender engages in sexual penetration v	vith a person who [THE
16	OFFENDER KNOWS] is		
17	(A)	mentally incapable;	
18	(B)	incapacitated; or	
19	(C)	unaware that a sexual act is being co	ommitted; or
20	(4) the of	ffender engages in sexual contact wi	th a person who [THE
21	OFFENDER KNOWS] is	unaware that a sexual act is being co	mmitted and
22	(A)	the offender is a health care worker;	and
23	(B)	the offense takes place during the	course of professional
24	treatment of the vi	ctim.	
25	* Sec. 5. AS 11.41.425(a) is am	nended to read:	
26	(a) An offender c	commits the crime of sexual assault in	n the third degree if the
27	offender		
28	(1) engag	es in sexual contact with a person v	vho [THE OFFENDER
29	KNOWS] is		
30	(A)	mentally incapable;	
31	(B)	incapacitated; or	
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(C) unaware that a sexual act is being committed; 1 2 (2) while employed in a state correctional facility or other placement designated by the commissioner of corrections for the custody and care of prisoners, 3 4 engages in sexual penetration with a person who the offender knows is committed to 5 the custody of the Department of Corrections to serve a term of imprisonment or period of temporary commitment; 6 7 (3) engages in sexual penetration with a person 18 or 19 years of age who the offender knows is committed to the custody of the Department of Health and 8 9 Social Services under AS 47.10 or AS 47.12 and the offender is the legal guardian of 10 the person; (4) while employed in the state by a law enforcement agency as a 11 12 peace officer, or while acting as a peace officer in the state, engages in sexual 13 penetration with a person with reckless disregard that the person is in the custody or the apparent custody of the offender, or is committed to the custody of a law 14 15 enforcement agency; 16 (5) while employed by the state or a municipality of the state as a 17 probation officer or parole officer, or while acting as a probation officer or parole 18 officer in the state, engages in sexual penetration with a person with reckless disregard 19 that the person is on probation or parole; or 20 (6) while employed as a juvenile probation officer or as a juvenile 21 facility staff, engages in sexual penetration with a person 18 or 19 years of age with 22 reckless disregard that the person is committed to the custody or probationary 23 supervision of the Department of Health and Social Services. 24 * Sec. 6. AS 11.46.130(a) is amended to read: 25 (a) A person commits the crime of theft in the second degree if the person 26 commits theft as defined in AS 11.46.100 and 27 the value of the property or services [, ADJUSTED FOR (1)INFLATION AS PROVIDED IN AS 11.46.982,] is \$750 or more but less than 28 29 \$25,000; 30 (2) the property is a firearm or explosive; 31 (3) the property is taken from the person of another;

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1	(4) the property is taken from a vessel and is vessel safety or survival
2	equipment;
3	(5) the property is taken from an aircraft and the property is aircraft
4	safety or survival equipment;
5	(6) the value of the property [, ADJUSTED FOR INFLATION AS
6	PROVIDED IN AS 11.46.982,] is \$250 or more but less than \$750 and, within the
7	preceding five years, the person has been convicted and sentenced on two or more
8	separate occasions in this or another jurisdiction of
9	(A) an offense under AS 11.46.120, or an offense under
10	another law or ordinance with similar elements;
11	(B) a crime set out in this subsection or an offense under
12	another law or ordinance with similar elements;
13	(C) an offense under AS 11.46.140(a)(1), or an offense under
14	another law or ordinance with similar elements; or
15	(D) an offense under AS $11.46.220(c)(1)$ or $(c)(2)(A)$, or an
16	offense under another law or ordinance with similar elements; or
17	(7) the property is an access device.
18	* Sec. 7. AS 11.46.140(a) is amended to read:
19	(a) A person commits the crime of theft in the third degree if the person
20	commits theft as defined in AS 11.46.100 and
21	(1) the value of the property or services [, ADJUSTED FOR
22	INFLATION AS PROVIDED IN AS 11.46.982,] is \$250 or more but less than \$750;
23	or
24	(2) [REPEALED]
25	(3) [REPEALED]
26	(4) the value of the property is less than \$250 and, within the preceding
27	five years, the person has been convicted and sentenced on three or more separate
28	occasions in this or another jurisdiction of theft or concealment of merchandise, or an
29	offense under another law or ordinance with similar elements.
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30	* Sec. 8. AS 11.46.150(a) is amended to read:
30 31	

1	commits theft as defined in AS 11.46.100 and the value of the property or services [,
2	ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is less than \$250.
3	* Sec. 9. AS 11.46.220(c) is amended to read:
4	(c) Concealment of merchandise is
5	(1) a class C felony if
6	(A) the merchandise is a firearm;
7	(B) the value of the merchandise [, ADJUSTED FOR
8	INFLATION AS PROVIDED IN AS 11.46.982,] is \$750 or more; or
9	(C) the value of the merchandise [, ADJUSTED FOR
10	INFLATION AS PROVIDED IN AS 11.46.982,] is \$250 or more but less than
11	\$750 and, within the preceding five years, the person has been convicted and
12	sentenced on two or more separate occasions in this or another jurisdiction of
13	(i) the offense of concealment of merchandise under
14	this paragraph or (2)(A) of this subsection, or an offense under another
15	law or ordinance with similar elements; or
16	(ii) an offense under AS 11.46.120, 11.46.130, or
17	11.46.140(a)(1), or an offense under another law or ordinance with
18	similar elements;
19	(2) a class A misdemeanor if
20	(A) the value of the merchandise [, ADJUSTED FOR
21	INFLATION AS PROVIDED IN AS 11.46.982,] is \$250 or more but less than
22	\$750; or
23	(B) [REPEALED]
24	(C) the value of the merchandise is less than \$250 and, within
25	the preceding five years, the person has been convicted and sentenced on three
26	or more separate occasions of the offense of concealment of merchandise or
27	theft in any degree, or an offense under another law or ordinance with similar
28	elements;
29	(3) a class B misdemeanor if the value of the merchandise [,
30	ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is less than \$250.
31	* Sec. 10. AS 11.46.260(b) is amended to read:
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(b) Removal of identification marks is 1 2 (1) a class C felony if the value of the property on which the serial number or identification mark appeared [, ADJUSTED FOR INFLATION AS 3 PROVIDED IN AS 11.46.982,] is \$750 or more; 4 (2) a class A misdemeanor if the value of the property on which the 5 serial number or identification mark appeared [, ADJUSTED FOR INFLATION AS 6 PROVIDED IN AS 11.46.982,] is \$250 or more but less than \$750; 7 (3) a class B misdemeanor if the value of the property on which the 8 serial number or identification mark appeared [, ADJUSTED FOR INFLATION AS 9 PROVIDED IN AS 11.46.982,] is less than \$250. 10 * Sec. 11. AS 11.46.270(b) is amended to read: 11 12 (b) Unlawful possession is (1) a class C felony if the value of the property on which the serial 13 number or identification mark appeared [, ADJUSTED FOR INFLATION AS 14 15 PROVIDED IN AS 11.46.982,] is \$750 or more; (2) a class A misdemeanor if the value of the property on which the 16 serial number or identification mark appeared [, ADJUSTED FOR INFLATION AS 17 18 PROVIDED IN AS 11.46.982,] is \$250 or more but less than \$750; 19 (3) a class B misdemeanor if the value of the property on which the 20 serial number or identification mark appeared [, ADJUSTED FOR INFLATION AS 21 PROVIDED IN AS 11.46.982,] is less than \$250. 22 * Sec. 12. AS 11.46.280(d) is amended to read: 23 (d) Issuing a bad check is 24 (1) a class B felony if the face amount of the check is \$25,000 or more; 25 (2) a class C felony if the face amount of the check [, ADJUSTED 26 FOR INFLATION AS PROVIDED IN AS 11.46.982,] is \$750 or more but less than 27 \$25,000; a class A misdemeanor if the face amount of the check [, 28 (3) 29 ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is \$250 or more 30 but less than \$750; 31 a class B misdemeanor if the face amount of the check [, (4)

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WORK DRAFT 31-LS0253\C ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is less than \$250. * Sec. 13. AS 11.46.285(b) is amended to read: (b) Fraudulent use of an access device is (1) a class B felony if the value of the property or services obtained is \$25,000 or more: (2) a class C felony if the value of the property or services obtained [, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is \$750 or more but less than \$25,000; (3) a class A misdemeanor if the value of the property or services obtained [, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is less than \$750. * Sec. 14. AS 11.46.295 is amended to read: Sec. 11.46.295. Prior convictions. For purposes of considering prior convictions in prosecuting a crime of theft under AS 11.46.130(a)(6) or 11.46.140(a)(4) or in prosecuting the crime of concealment of merchandise under AS 11.46.220(c), (1) a conviction for an offense under another law or ordinance with similar elements is a conviction of an offense having elements similar to those of an offense defined as such under Alaska law at the time the offense was committed: (2) a conviction for an offense under Alaska law where the value of the property or services for the offense was lower than the value of property or services for the offense under current Alaska law is a prior conviction for that offense; and (3) the court shall consider the date of a prior conviction as occurring on the date that sentence is imposed for the prior offense. * Sec. 15. AS 11.46.360(a) is amended to read: (a) A person commits the crime of vehicle theft in the first degree if, having no right to do so or any reasonable ground to believe the person has such a right, the person drives, tows away, or takes (1) the car, truck, motorcycle, motor home, bus, aircraft, or watercraft of another;

(2) the propelled vehicle of another and

	WORK DRAFT	WORK DRAFT		31-LS0253\C
1	(A) the vehicle or any oth	her property of anoth	er is damaged in a
2	total amount [,	ADJUSTED FOR	INFLATION AS	PROVIDED IN
3	AS 11.46.982,] of	\$750 or more;		
4	(B)) the owner incurs reas	sonable expenses as	a result of the loss
5	of use of the veh	cle, in a total amount	[, ADJUSTED FOR	INFLATION AS
6	PROVIDED IN A	S 11.46.982,] of \$750	or more; or	
7	(C) the owner is deprive	ed of the use of the	vehicle for seven
8	days or more;			
9	(3) the p	ropelled vehicle of an	other and the vehic	le is marked as a
10	police or emergency vehi	cle; or		
11	(4) the p	ropelled vehicle of an	other and, within th	e preceding seven
12	years, the person was cor	victed under		
13	(A) this section or AS 11	.46.365;	
14	(B)) former AS 11.46.482	(a)(4) or (5);	
15	(C) former AS 11.46.484	(a)(2);	
16	(D) AS 11.46.120 - 11.4	6.140 of an offense	involving the theft
17	of a propelled veh	icle; or		
18	(E)	a law or ordinance	e of this or another	jurisdiction with
19	elements substant	ially similar to those of	of an offense describ	ed in (A) - (D) of
20	this paragraph.			
21	* Sec. 16. AS 11.46.482(a) is a	mended to read:		
22	(a) A person con	nmits the crime of cri	minal mischief in t	he third degree if,
23	having no right to do so	or any reasonable gro	ound to believe the	person has such a
24	right,			
25		intent to damage prop	-	
26	property of another in ar	2.	D FOR INFLATION	N AS PROVIDED
27	IN AS 11.46.982,] of \$75			
28		person recklessly crea		c
29	exceeding \$100,000 to pr		e use of widely dang	gerous means; or
30		rson knowingly		
31	(A) defaces, damages, or	desecrates a cemete	ery or the contents
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31	tampers with property of another;
30 21	property or with intent to cause substantial inconvenience to another, the person tempers with property of another:
29 20	(1) with reckless disregard for the risk of harm to or loss of the
28 20	right,
27 28	having no right to do so or any reasonable ground to believe the person has such a
26	(a) A person commits the crime of criminal mischief in the fifth degree if,
25	* Sec. 18. AS 11.46.486(a) is amended to read:
24	damages the work on a highway under construction.
23	shoots at, destroys, or otherwise tampers with an official traffic control device or
22	(5) the person knowingly removes, relocates, defaces, alters, obscures,
21	the person owned the device before September 18, 1984; or
20	device is used only to descramble signals received directly from a satellite or unless
19	been scrambled to prevent unauthorized receipt or viewing of the signal unless the
18	(4) the person uses a device to descramble an electronic signal that has
17	computer program, computer network, or part of a computer system or network;
16	(3) the person knowingly accesses a computer, computer system,
15	a public place;
14	(2) the person tampers with a fire protection device in a building that is
13	IN AS 11.46.982,] of \$250 or more but less than \$750;
12	property of another in an amount [, ADJUSTED FOR INFLATION AS PROVIDED
11	(1) with intent to damage property of another, the person damages
10	right,
9	having no right to do so or any reasonable ground to believe the person has such a
8	(a) A person commits the crime of criminal mischief in the fourth degree if,
7	* Sec. 17. AS 11.46.484(a) is amended to read:
6	tomb, grave, or memorial appears to be abandoned, lost, or neglected.
5	a cemetery, tomb, grave, or memorial regardless of whether the cemetery,
4	(B) removes human remains or associated burial artifacts from
3	memorial appears to be abandoned, lost, or neglected;
2	grave, or memorial is in a cemetery or whether the cemetery, tomb, grave, or
1	of a cemetery or a tomb, grave, or memorial regardless of whether the tomb,

1	(2) with intent to damage property of another, the person damages
2	property of another in an amount [, ADJUSTED FOR INFLATION AS PROVIDED
3	IN AS 11.46.982,] less than \$250; or
4	(3) the person rides in a propelled vehicle and, with criminal
5	negligence, disregards the fact that it has been stolen or that it is being used in
6	violation of AS 11.46.360 or 11.46.365(a)(1).
7	* Sec. 19. AS 11.46.530(b) is amended to read:
8	(b) Criminal simulation is
9	(1) a class C felony if the value of what the object purports to represent
10	[, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is \$750 or
11	more;
12	(2) a class A misdemeanor if the value of what the object purports to
13	represent [, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is
14	\$250 or more but less than \$750;
15	(3) a class B misdemeanor if the value of what the object purports to
16	represent [, ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is less
17	than \$250.
18	* Sec. 20. AS 11.46.620(d) is amended to read:
19	(d) Misapplication of property is
20	(1) a class C felony if the value of the property misapplied [,
21	ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is \$750 or more;
22	(2) a class A misdemeanor if the value of the property misapplied [,
23	ADJUSTED FOR INFLATION AS PROVIDED IN AS 11.46.982,] is less than \$750.
24	* Sec. 21. AS 11.46.730(c) is amended to read:
25	(c) Defrauding creditors is a class A misdemeanor unless that secured party,
26	judgment creditor, or creditor incurs a pecuniary loss [, ADJUSTED FOR
27	INFLATION AS PROVIDED IN AS 11.46.982,] of \$750 or more as a result of the
28	defendant's conduct, in which case defrauding secured creditors is
29	(1) a class B felony if the loss is \$25,000 or more;
30	(2) a class C felony if the loss [, ADJUSTED FOR INFLATION AS
31	PROVIDED IN AS 11.46.982,] is \$750 or more but less than \$25,000.

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1	* Sec. 22. AS 11.56.32	D(a) is amended to read:		
2	(a) One co	ommits the crime of esca	ape in the third degree if	one
3	(1)	removes oneself fr	om official detention	during any lawful
4	movement or act	ivity incident to confir	nement within a correct	ctional facility for a
5	misdemeanor; [O]	R]		
6	(2)	violates AS 11.56.335	or 11.56.340 and leaves	s or attempts to leave
7	the state <u>:</u>			
8	<u>(3)</u>	while under official de	etention for a misdeme	eanor,
9		(A) removes, ta	mpers with, or disa	bles the electronic
10	<u>monitorin</u>	<u>g equipment; or</u>		
11		(B) without prior	r authorization, leaves	one's residence or
12	other pla	ice designated by th	e commissioner of o	corrections or the
13	<u>commissi</u>	oner of health and s	ocial services for ser	rvice by electronic
14	<u>monitorin</u>	<u>g; or</u>		
15	<u>(4)</u>	while on release under	<u>r AS 12.30,</u>	
16		<u>(A) removes, ta</u>	mpers with, or disa	bles the electronic
17	<u>monitorin</u>	<u>g equipment; or</u>		
18		<u>(B) without prior</u>	r authorization, leaves	one's residence or
19		e designated by a judic	cial officer as a condition	on of release.
20		(a) is amended to read:		
21		on commits the <u>crime</u> [(-	appear if the person
22		is released under the pr		
23	(2)	-	on is required to appea	ar before a court or
24 25	-	the time and place of a s	-	1.6
25 26	(3)	0.0	ence does not appear	before the court or
26 27		the time and place of the	scheduled hearing.	
27 28		D(d) is amended to read:		
28 20		e to appear is a		
29 20		class C felony if the	-	
30 21	_	y or while awaiting sen	tence of appear after co	biviction of a lefony
31	[AND THE PERS			
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1		(A) DOES NOT MAKE CONTACT W	TITH THE COURT OR
2	A JU	DICIAL OFFICER WITHIN 30 DAYS AFTER	
3	NOT	APPEAR AT THE TIME AND PLACE	OF A SCHEDULED
4	HEAI	RING; OR	
5		(B) DOES NOT APPEAR AT THE TIM	IE AND PLACE OF A
6	SCHE	EDULED HEARING TO AVOID PROSECUTION	N];
7		(2) class A misdemeanor if the person was released	ased in connection with
8	а		
9		(A) charge of a misdemeanor, while	e awaiting sentence or
10	appea	l after conviction of a misdemeanor <u>; or</u>	
11		(B) [, OR IN CONNECTION WITH A] requirement to appear
12	as a n	naterial witness in a criminal proceeding [, AND T	'HE PERSON
13		(A) DOES NOT MAKE CONTACT W	TITH THE COURT OR
14	A JU	DICIAL OFFICER WITHIN 30 DAYS AFTER	THE PERSON DOES
15	NOT	APPEAR AT THE TIME AND PLACE	OF A SCHEDULED
16	HEAI	RING; OR	
17		(B) DOES NOT APPEAR AT THE TIM	ME AND PLACE OF A
18	SCHE	EDULED HEARING TO AVOID PROSECUTION	N; OR
19		(3) VIOLATION PUNISHABLE BY A FINE O	OF UP TO \$1,000].
20	* Sec. 25. AS 11.7	1 is amended by adding a new section to read:	
21	Sec. 1	11.71.021. Misconduct involving a controlled su	ibstance in the second
22	degree. (a)	Except as authorized in AS 17.30, a person of	commits the crime of
23	misconduct in	nvolving a controlled substance in the second degr	ee if the person
24		(1) manufactures or delivers any amount of a	schedule IA controlled
25	substance or	possesses any amount of a schedule IA controlle	d substance with intent
26	to manufactu	re or deliver;	
27		(2) manufactures any material, compound, mixed	ture, or preparation that
28	contains		
29		(A) methamphetamine, or its salts, isom	ers, or salts of isomers;
30	or		
31		(B) an immediate precursor of metham	phetamine, or its salts,
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	WORK	DRAFT	WORK DRAFT	31-LS0253\C
1		isomers, or	salts of isomers;	
2		(3)	possesses an immediate precursor of meth	amphetamine, or the
3		salts, isomers, or	salts of isomers of the immediate precursor of	of methamphetamine,
4		with the intent to	manufacture any material, compound, mixtur	e, or preparation that
5		contains methamp	hetamine, or its salts, isomers, or salts of isome	rs;
6		(4)	possesses a listed chemical with intent to many	ufacture any material,
7		compound, mixtur	e, or preparation that contains	
8			(A) methamphetamine, or its salts, isomer	rs, or salts of isomers;
9		or		
10			(B) an immediate precursor of methampl	netamine, or its salts,
11		isomers, or	salts of isomers;	
12		(5)	possesses methamphetamine in an organic se	olution with intent to
13		extract from it met	hamphetamine or its salts, isomers, or salts of i	somers; or
14		(6)	under circumstances not proscribed under	AS 11.71.010(a)(2),
15		delivers		
16			(A) an immediate precursor of methamph	netamine, or the salts,
17		isomers, or	salts of isomers of the immediate precursor of	of methamphetamine,
18		to another	person with reckless disregard that the precu	ursor will be used to
19		manufactu	re any material, compound, mixture, or prep	aration that contains
20		methamph	etamine, or its salts, isomers, or salts of isomers	
21			(B) a listed chemical to another person w	ith reckless disregard
22			ted chemical will be used to manufacture any	material, compound,
23		mixture, or	preparation that contains	
24			(i) methamphetamine, or its salts	, isomers, or salts of
25		isor	ners;	
26			(ii) an immediate precursor of met	thamphetamine, or its
27		salt	s, isomers, or salts of isomers; or	
28			(iii) methamphetamine or its salts	s, isomers, or salts of
29			mers in an organic solution.	
30			prosecution under (a) of this section, possess	
31		grams of the liste	d chemicals ephedrine, pseudoephedrine, pher	nylpropanolamine, or
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1	the salts, isomers, or salts of isomers of those chemicals is prima facie evidence that
2	the person intended to use the listed chemicals to manufacture, to aid or abet another
3	person to manufacture, or to deliver to another person who intends to manufacture
4	methamphetamine, its immediate precursors, or the salts, isomers, or salts of isomers
5	of methamphetamine or its immediate precursors. The prima facie evidence described
6	in this subsection does not apply to a person who possesses
7	(1) the listed chemicals ephedrine, pseudoephedrine,
8	phenylpropanolamine, or the salts, isomers, or salts of isomers of those chemicals
9	(A) and the listed chemical was dispensed to the person under a
10	valid prescription; or
11	(B) in the ordinary course of a legitimate business, or an
12	employee of a legitimate business, as a
13	(i) retailer or as a wholesaler;
14	(ii) wholesale drug distributor licensed by the Board of
15	Pharmacy;
16	(iii) manufacturer of drug products licensed by the
17	Board of Pharmacy;
18	(iv) pharmacist licensed by the Board of Pharmacy; or
19	(v) health care professional licensed by the state; or
20	(2) less than 24 grams of ephedrine, pseudoephedrine,
21	phenylpropanolamine, or the salts, isomers, or salts of isomers of those chemicals,
22	kept in a locked storage area on the premises of a legitimate business or nonprofit
23	organization operating a camp, lodge, school, day care center, treatment center, or
24	other organized group activity, and the location or nature of the activity, or the age of
25	the participants, makes it impractical for the participants in the activity to obtain
26	medicinal products.
27	(c) In this section, "listed chemical" means a chemical described under
28	AS 11.71.200.
29	(d) Misconduct involving a controlled substance in the second degree is a
30	class A felony.
31	* Sec. 26. AS 11.71.030(a) is amended to read:

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1	(a) Except as authorized in AS 17.30, a person commits the crime of
2	misconduct involving a controlled substance in the <u>third</u> [SECOND] degree if the
2	person
4	(1) manufactures or delivers, or possesses with intent to manufacture
5	or deliver,
6	(A) one or more preparations, compounds, mixtures, or
7	substances of an aggregate weight of one gram or more containing a schedule
8	IA controlled substance;
9	(B) 25 or more tablets, ampules, or syrettes containing a
10	schedule IA controlled substance;
11	(C) one or more preparations, compounds, mixtures, or
12	substances of an aggregate weight of 2.5 grams or more containing a schedule
13	IIA or IIIA controlled substance; or
14	(D) 50 or more tablets, ampules, or syrettes containing a
15	schedule IIA or IIIA controlled substance;
16	(2) delivers any amount of a schedule IVA, VA, or VIA controlled
17	substance to a person under 19 years of age who is at least three years younger than
18	the person delivering the substance;
19	(3) possesses any amount of a schedule IA or IIA controlled substance
20	(A) with reckless disregard that the possession occurs
21	(i) on or within 500 feet of school grounds; or
22	(ii) at or within 500 feet of a recreation or youth center;
23	or
24	(B) on a school bus;
25	(4) manufactures any material, compound, mixture, or preparation that
26	contains
27	(A) methamphetamine, or its salts, isomers, or salts of isomers;
28	or
29	(B) an immediate precursor of methamphetamine, or its salts,
30	isomers, or salts of isomers;
31	(5) possesses an immediate precursor of methamphetamine, or the
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<u>New Text Underlined</u> [DELETED TEXT BRACKETED]

1 salts, isomers, or salts of isomers of the immediate precursor of methamphetamine 2 with the intent to manufacture any material, compound, mixture, or preparation that 3 contains methamphetamine, or its salts, isomers, or salts of isomers; 4 (6) possesses a listed chemical with intent to manufacture any material, 5 compound, mixture, or preparation that contains 6 (A) methamphetamine, or its salts, isomers, or salts of isomers; 7 or 8 (B) an immediate precursor of methamphetamine, or its salts, 9 isomers, or salts of isomers; 10 (7) possesses methamphetamine in an organic solution with intent to 11 extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2), 13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts 15 isomers, or salts of isomers of the immediate precursor will be used to 16 manufacture any material, compound, mixture, or preparation that contains 17 manufacture any material, compound, mixture, or is salts, isomers, or salts of isomers; 18 isomers; (B) a listed chemical to another person with reckless disregard </th <th></th> <th>WORK</th> <th>DRAFT</th> <th>WORK DRAFT</th> <th>31-LS0253\C</th>		WORK	DRAFT	WORK DRAFT	31-LS0253\C
3 contains methamphetamine, or its salts, isomers, or salts of isomers; 4 (6) possesses a listed chemical with intent to manufacture any material, compound, mixture, or preparation that contains 6 (A) methamphetamine, or its salts, isomers, or salts of isomers; 7 or 8 (B) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; 10 (7) possesses methamphetamine in an organic solution with intent to extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2). 13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts. 15 isomers, or salts of isomers of the immediate precursor of methamphetamine. 16 to another person with reckless disregard that the precursor will be used to manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard that the listed chemical will be used to manufacture any material, compound, mixture, or preparation that contains 21 (i) methamphetamine, or its salts, isomers, or salts of isomers; or 22 (i) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; </td <td>1</td> <td></td> <td>salts, isomers, or salts of</td> <td>isomers of the immediate preci</td> <td>ursor of methamphetamine,</td>	1		salts, isomers, or salts of	isomers of the immediate preci	ursor of methamphetamine,
4 (6) possesses a listed chemical with intent to manufacture any material, compound, mixture, or preparation that contains 6 (A) methamphetamine, or its salts, isomers, or salts of isomers; 7 or 8 (B) an immediate precursor of methamphetamine, or its salts, 9 isomers, or salts of isomers; 10 (7) possesses methamphetamine in an organic solution with intent to extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2), 13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts, 15 isomers, or salts of isomers of the immediate precursor of methamphetamine, or the salts, 16 to another person with reckless disregard that the precursor will be used to manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 21 (i) methamphetamine, or its salts, isomers, or salts of isomers; or 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; 23 isomers; (24 (iii)	2		with the intent to manufa	cture any material, compound,	mixture, or preparation that
5 compound, mixture, or preparation that contains 6 (A) methamphetamine, or its salts, isomers, or salts of isomers; 7 or 8 (B) an immediate precursor of methamphetamine, or its salts, 9 (7) possesses methamphetamine in an organic solution with intent to 11 extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2), 13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts, 15 isomers, or salts of isomers of the immediate precursor will be used to 16 to another person with reckless disregard that the precursor will be used to 17 manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 21 isomers; 22 (i) methamphetamine, or its salts, isomers, or salts of 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its 25 salts, isomers, or salts of isomers; or 26 (iii) an immediate precursor of m	3		contains methamphetamin	e, or its salts, isomers, or salts of	isomers;
6 (A) methamphetamine, or its salts, isomers, or salts of isomers; 7 or 8 (B) an immediate precursor of methamphetamine, or its salts, 9 (7) possesses methamphetamine in an organic solution with intent to extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2), 13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts, 15 isomers, or salts of isomers of the immediate precursor of methamphetamine, or the salts, 16 to another person with reckless disregard that the precursor will be used to manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 21 isomers; 22 (i) methamphetamine, or its salts, isomers, or salts of isomers; or 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 25 salts, isomers, or salts of isomers; or <td>4</td> <td></td> <td>(6) possess</td> <td>ses a listed chemical with intent t</td> <td>o manufacture any material,</td>	4		(6) possess	ses a listed chemical with intent t	o manufacture any material,
7 or 8 (B) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; 9 (7) possesses methamphetamine in an organic solution with intent to extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2); 13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts, isomers, or salts of isomers of the immediate precursor of methamphetamine, or the salts, isomers, or salts of isomers, or salts of isomers, or salts of isomers; or 16 to another person with reckless disregard that the precursor will be used to manufacture any material, compound, mixture, or preparation that contains methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard that the listed chemical will be used to manufacture any material, compound mixture, or preparation that contains 21 (i) methamphetamine, or its salts, isomers, or salts of isomers; or 23 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 24 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 25 salts, isomers, or salts of isomers; or 26 (iii) an immediate precursor of methamphetamine, or its salts, isomers in an organic solution; or 27	5		compound, mixture, or pro	paration that contains	
8 (B) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; 9 (7) possesses methamphetamine in an organic solution with intent to extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2), delivers 14 (A) an immediate precursor of methamphetamine, or the salts, isomers, or salts of isomers of the immediate precursor of methamphetamine, or the salts, isomers, or salts of isomers, or salts of isomers, or salts of isomers; or 16 to another person with reckless disregard that the precursor will be used to manufacture any material, compound, mixture, or preparation that contains methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard that the listed chemical will be used to manufacture any material, compound mixture, or preparation that contains 21 (i) methamphetamine, or its salts, isomers, or salts of isomers; 23 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; 24 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 25 salts, isomers, or salts of isomers; or 26 (iii) an immediate precursor of methamphetamine, or its salts, isomers in an organic solution; or 27 isomers in an organic solution; or 28 (9) under circums	6		(A)	methamphetamine, or its salts,	isomers, or salts of isomers;
9 isomers, or salts of isomers; 10 (7) possesses methamphetamine in an organic solution with intent to extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2); 13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts, 15 isomers, or salts of isomers of the immediate precursor of methamphetamine, to another person with reckless disregard that the precursor will be used to manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard that the listed chemical will be used to manufacture any material, compound, mixture, or preparation that contains 21 (i) methamphetamine, or its salts, isomers, or salts of isomers; 22 (ii) an immediate precursor of methamphetamine, or its salts, isomers; 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 25 (iii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 25 (iii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 26 (iii) methamphetamine or its salts, isomers, or salts	7		or		
10 (7) possesses methamphetamine in an organic solution with intent to extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2), delivers 14 (A) an immediate precursor of methamphetamine, or the salts, isomers, or salts of isomers of the immediate precursor of methamphetamine, to another person with reckless disregard that the precursor will be used to manufacture any material, compound, mixture, or preparation that contains methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard that the listed chemical will be used to manufacture any material, compound, mixture, or preparation that contains 20 that the listed chemical will be used to manufacture any material, compound mixture, or preparation that contains 21 (i) methamphetamine, or its salts, isomers, or salts of isomers; 23 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; 24 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 25 salts, isomers, or salts of isomers; or 26 (iii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufacture	8		(B)	an immediate precursor of met	thamphetamine, or its salts,
11 extract from it methamphetamine or its salts, isomers, or salts of isomers; [OR] 12 (8) under circumstances not proscribed under AS 11.71.010(a)(2), 13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts, 15 isomers, or salts of isomers of the immediate precursor of methamphetamine, 16 to another person with reckless disregard that the precursor will be used to 17 manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 20 that the listed chemical will be used to manufacture any material, compound 21 mixture, or preparation that contains 22 (i) methamphetamine, or its salts, isomers, or salts of 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its 25 salts, isomers, or salts of isomers; or 26 (iii) an immediate precursor of methamphetamine, or its 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA	9		isomers, or salts of	isomers;	
12 (8) under circumstances not proscribed under AS 11.71.010(a)(2). 13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts. 15 isomers, or salts of isomers of the immediate precursor of methamphetamine. 16 to another person with reckless disregard that the precursor will be used to 17 manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 20 that the listed chemical will be used to manufacture any material, compound, 21 mixture, or preparation that contains 22 (i) methamphetamine, or its salts, isomers, or salts of 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its 25 salts, isomers, or salts of isomers; or 26 (iii) an immediate precursor of methamphetamine, or its 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance 30 substance or possesses any amount of a schedule IIA	10		(7) posses	ses methamphetamine in an org	anic solution with intent to
13 delivers 14 (A) an immediate precursor of methamphetamine, or the salts, isomers, or salts of isomers of the immediate precursor of methamphetamine. 15 isomers, or salts of isomers of the immediate precursor of methamphetamine. 16 to another person with reckless disregard that the precursor will be used to manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 20 that the listed chemical will be used to manufacture any material, compound, mixture, or preparation that contains 21 (i) methamphetamine, or its salts, isomers, or salts of isomers; 23 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; 24 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or 26 (iii) methamphetamine or its salts, isomers, or salts of isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance 30 substance or possesses any amount of a schedule IIA or IIIA controlled substance	11		extract from it methamphe	etamine or its salts, isomers, or sa	lts of isomers; [OR]
14 (A) an immediate precursor of methamphetamine, or the salts. 15 isomers, or salts of isomers of the immediate precursor of methamphetamine. 16 to another person with reckless disregard that the precursor will be used to 17 manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 20 that the listed chemical will be used to manufacture any material, compound 21 mixture, or preparation that contains 22 (i) methamphetamine, or its salts, isomers, or salts of 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of 25 salts, isomers, or salts of isomers; or 26 (iii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance 30 substance or possesses any amount of a schedule IIA or IIIA controlled substance	12		(8) under	circumstances not proscribed	under AS 11.71.010(a)(2),
 isomers, or salts of isomers of the immediate precursor of methamphetamine. to another person with reckless disregard that the precursor will be used to manufacture any material, compound, mixture, or preparation that contains methamphetamine, or its salts, isomers, or salts of isomers; or (B) a listed chemical to another person with reckless disregard that the listed chemical will be used to manufacture any material, compound, mixture, or preparation that contains (i) methamphetamine, or its salts, isomers, or salts of isomers; (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or (iii) methamphetamine or its salts, isomers, or salts of isomers in an organic solution; or (9) under circumstances not proscribed under AS 11.71.021(a)(2) - (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance 	13		delivers		
16 to another person with reckless disregard that the precursor will be used to 17 manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 20 that the listed chemical will be used to manufacture any material, compound, 21 mixture, or preparation that contains 22 (i) methamphetamine, or its salts, isomers, or salts of 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its 25 salts, isomers, or salts of isomers; or 26 (iii) methamphetamine or its salts, isomers, or salts of 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled 30 substance or possesses any amount of a schedule IIA or IIIA controlled substance	14		(A)	an immediate precursor of met	hamphetamine, or the salts,
17 manufacture any material, compound, mixture, or preparation that contains 18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 20 that the listed chemical will be used to manufacture any material, compound. 21 mixture, or preparation that contains 22 (i) methamphetamine, or its salts, isomers, or salts of 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its 25 salts, isomers, or salts of isomers; or 26 (iii) methamphetamine or its salts, isomers, or salts of 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance	15		isomers, or salts o	f isomers of the immediate prec	ursor of methamphetamine,
18 methamphetamine, or its salts, isomers, or salts of isomers; or 19 (B) a listed chemical to another person with reckless disregard 20 that the listed chemical will be used to manufacture any material, compound. 21 mixture, or preparation that contains 22 (i) methamphetamine, or its salts, isomers, or salts of 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its 25 salts, isomers, or salts of isomers; or 26 (iii) methamphetamine or its salts, isomers, or salts of 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance 30 substance or possesses any amount of a schedule IIA or IIIA controlled substance	16		to another person	with reckless disregard that the	e precursor will be used to
 (B) a listed chemical to another person with reckless disregard that the listed chemical will be used to manufacture any material, compound, mixture, or preparation that contains (i) methamphetamine, or its salts, isomers, or salts of isomers; (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or (iii) methamphetamine or its salts, isomers, or salts of isomers; or (iii) methamphetamine or its salts, isomers, or salts of isomers; or (iii) methamphetamine or its salts, isomers, or salts of isomers; or (iii) methamphetamine or its salts, isomers, or salts of isomers in an organic solution; or (9) under circumstances not proscribed under AS 11.71.021(a)(2) - (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance 	17		manufacture any	material, compound, mixture, o	r preparation that contains
20 that the listed chemical will be used to manufacture any material, compound, 21 mixture, or preparation that contains 22 (i) methamphetamine, or its salts, isomers, or salts of 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its 25 salts, isomers, or salts of isomers; or 26 (iii) methamphetamine or its salts, isomers, or salts of 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance 30 substance or possesses any amount of a schedule IIA or IIIA controlled substance	18		methamphetamine	, or its salts, isomers, or salts of is	somers; or
21 mixture, or preparation that contains 22 (i) methamphetamine, or its salts, isomers, or salts of 23 isomers; 24 (ii) an immediate precursor of methamphetamine, or its 25 salts, isomers, or salts of isomers; or 26 (iii) methamphetamine or its salts, isomers, or salts of 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled 30 substance or possesses any amount of a schedule IIA or IIIA controlled substance	19		(B)	a listed chemical to another per	rson with reckless disregard
 (i) methamphetamine, or its salts, isomers, or salts of isomers; (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or (iii) methamphetamine or its salts, isomers, or salts of isomers in an organic solution; or (9) under circumstances not proscribed under AS 11.71.021(a)(2) - (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance 	20		that the listed cher	nical will be used to manufactu	re any material, compound,
 isomers; (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or (iii) methamphetamine or its salts, isomers, or salts of isomers in an organic solution; or (9) under circumstances not proscribed under AS 11.71.021(a)(2) - (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance 	21		mixture, or prepara	ation that contains	
 (ii) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers; or (iii) methamphetamine or its salts, isomers, or salts of isomers in an organic solution; or (9) under circumstances not proscribed under AS 11.71.021(a)(2) - (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance substance or possesses any amount of a schedule IIA or IIIA controlled substance 	22			(i) methamphetamine, or it	s salts, isomers, or salts of
 25 salts, isomers, or salts of isomers; or 26 (iii) methamphetamine or its salts, isomers, or salts of 27 isomers in an organic solution; or 28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) - 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled 30 substance or possesses any amount of a schedule IIA or IIIA controlled substance 	23		isomers;		
 (iii) methamphetamine or its salts, isomers, or salts of isomers in an organic solution; or (9) under circumstances not proscribed under AS 11.71.021(a)(2) - (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance or possesses any amount of a schedule IIA or IIIA controlled substance 	24			(ii) an immediate precursor	of methamphetamine, or its
 isomers in an organic solution; or (9) under circumstances not proscribed under AS 11.71.021(a)(2) - (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance or possesses any amount of a schedule IIA or IIIA controlled substance 	25		salts, isome	ers, or salts of isomers; or	
28 (9) under circumstances not proscribed under AS 11.71.021(a)(2) 29 (6), manufactures or delivers any amount of a schedule IIA or IIIA controlled 30 substance or possesses any amount of a schedule IIA or IIIA controlled substance	26			(iii) methamphetamine or it	ts salts, isomers, or salts of
29(6), manufactures or delivers any amount of a schedule IIA or IIIA controlled30substance or possesses any amount of a schedule IIA or IIIA controlled substance	27		isomers in	an organic solution <u>; or</u>	
30 substance or possesses any amount of a schedule IIA or IIIA controlled substance	28		<u>(9) under</u>	circumstances not proscribed	<u>under AS 11.71.021(a)(2) -</u>
			(6), manufactures or de	livers any amount of a schedu	<u>lle IIA or IIIA controlled</u>
31 with intent to manufacture or deliver.					IIIA controlled substance
	31		with intent to manufactu	<u>re or deliver</u> .	

	WORK DRAFT	WORK DRAFT	31-LS0253\C
1	* Sec. 27. AS 11.71.03	0(d) is amended to read:	
2	(d) Mise	conduct involving a controlled substance i	n the <u>third</u> [SECOND]
3	degree is a class	B felony.	
4	* Sec. 28. AS 11.71.04	0(a) is amended to read:	
5	(a) Exc	ept as authorized in AS 17.30, a person	commits the crime of
6	misconduct invo	lving a controlled substance in the fourth	[THIRD] degree if the
7	person		
8	(1) manufactures or delivers any amount of	a schedule IVA or VA
9	controlled substa	nce or possesses any amount of a schedule	e IVA or VA controlled
10	substance with in	tent to manufacture or deliver;	
11	(2) manufactures or delivers, or possess	ses with the intent to
12	manufacture or d	eliver, one or more preparations, compounds	, mixtures, or substances
13	of an aggregate	weight of one ounce or more containing a s	schedule VIA controlled
14	substance;		
15	(3) possesses	
16		(A) any amount of a	
17		(i) schedule IA controlled	substance [LISTED IN
18	A	S 11.71.140(e)];	
19		<u>(ii) IIA controlled substance</u>	
20	<u>su</u>	<u>bstance listed in AS 11.71.150(e)(11) - (15)</u>	
21		(B) 25 or more tablets, ampules, o	<u>r syrettes containing a</u>
22	<u>schedule</u>	IIIA or IVA controlled substance;	
23	•	(C) one or more preparations, con	<u>mpounds, mixtures, or</u>
24 25	<u>substanc</u>	es of an aggregate weight of	
25 26		(i) three grams or more cont	
26 27		<u>VIVA controlled substance except a con</u>	itrolled substance in a
27 28	<u>10</u>	rm listed in (ii) of this subparagraph;	
28 29		(ii) 12 grams or more contain the lad substance listed in AS 11 71 160(f	
29 30		ntrolled substance listed in AS 11.71.160(f	
30 31		rayed on or otherwise applied to tobacc ganic material; or	o, an nero, or another
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1	<u>(iii) 500 milligrams or more of a schedule IIA</u>
2	<u>controlled substance listed in AS 11.71.150(e)(11) - (15);</u>
3	(D) 50 or more tablets, ampules, or syrettes containing a
4	schedule VA controlled substance;
5	(E) one or more preparations, compounds, mixtures, or
6	substances of an aggregate weight of six grams or more containing a
7	schedule VA controlled substance;
8	(F) one or more preparations, compounds, mixtures, or
9	substances of an aggregate weight of four ounces or more containing a
10	schedule VIA controlled substance; or
11	(G) 25 or more plants of the genus cannabis;
12	(4) possesses a schedule IIIA, IVA, VA, or VIA controlled substance
13	(A) with reckless disregard that the possession occurs
14	(i) on or within 500 feet of school grounds; or
15	(ii) at or within 500 feet of a recreation or youth center;
16	or
17	(B) on a school bus;
18	(5) knowingly keeps or maintains any store, shop, warehouse,
19	dwelling, building, vehicle, boat, aircraft, or other structure or place that is used for
20	keeping or distributing controlled substances in violation of a felony offense under this
21	chapter or AS 17.30;
22	(6) makes, delivers, or possesses a punch, die, plate, stone, or other
23	thing that prints, imprints, or reproduces a trademark, trade name, or other identifying
24	mark, imprint, or device of another or any likeness of any of these on a drug, drug
25	container, or labeling so as to render the drug a counterfeit substance;
26	(7) knowingly uses in the course of the manufacture or distribution of a
27	controlled substance a registration number that is fictitious, revoked, suspended, or
28	issued to another person;
29	(8) knowingly furnishes false or fraudulent information in or omits
30	material information from any application, report, record, or other document required
31	to be kept or filed under AS 17.30;

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1	(9)	obtains possession of a controlled substance b	by misrepresentation,
2	fraud, forgery, dec	eption, or subterfuge;	
3	(10) affixes a false or forged label to a packag	ge or other container
4	containing any con	ntrolled substance; or	
5	(11) manufactures or delivers, or possesses	with the intent to
6	manufacture or de	liver,	
7		(A) one or more preparations, comp	ounds, mixtures, or
8	substances	of an aggregate weight of less than one gram of	containing a schedule
9	IA control	ed substance;	
10		(B) less than 25 tablets, ampules, or s	syrettes containing a
11	schedule L	A controlled substance;	
12		(C) one or more preparations, comp	ounds, mixtures, or
13	substances	of an aggregate weight of less than 2.5 grams of	containing a schedule
14	IIA or IIIA	controlled substance; or	
15		(D) less than 50 tablets, ampules, or s	syrettes containing a
16	schedule I	A or IIIA controlled substance.	
17	* Sec. 29. AS 11.71.040	(d) is amended to read:	
18	(d) Misc	onduct involving a controlled substance in t	he <u>fourth</u> [THIRD]
19	degree is a class C	felony.	
20	* Sec. 30. AS 11.71.050	is amended to read:	
21	Sec. 11.71	.050. Misconduct involving a controlled su	bstance in the <u>fifth</u>
22	[FOURTH] degr	ee. (a) Except as authorized in AS 17.30, a	person commits the
23	crime of miscondu	ict involving a controlled substance in the <u>fifth</u>	[FOURTH] degree if
24	the person		
25	(1)	manufactures or delivers, or possesses	with the intent to
26	manufacture or de	liver, one or more preparations, compounds, mi	ixtures, or substances
27	of an aggregate w	eight of less than one ounce containing a sche	edule VIA controlled
28	substance;		
29	(2)	[REPEALED]	
30		fails to make, keep, or furnish any record, not	
31	statement, invoice	, or information required under AS 17.30; [OR]	
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1	(4) under circumstances not proscribed under AS 11.71.030(a)(3),
2	11.71.040(a)(3), 11.71.040(a)(4), or 11.71.060(a)(2), possesses any amount of a
3	schedule IA, IIA, IIIA, IVA, VA, or VIA controlled substance <u>; or</u>
4	(5) possesses
5	(A) less than 25 tablets, ampules, or syrettes containing a
6	schedule IIIA or IVA controlled substance;
7	(B) one or more preparations, compounds, mixtures, or
8	substances of an aggregate weight of less than
9	(i) three grams containing a schedule IIIA or IVA
10	controlled substance except a controlled substance in a form listed
11	<u>in (ii) of this subparagraph;</u>
12	(ii) 12 grams but more than six grams containing a
13	<u>schedule IIIA controlled substance listed in AS 11.71.160(f)(7) -</u>
14	(16) that has been sprayed on or otherwise applied to tobacco, an
15	herb, or another organic material; or
16	<u>(iii) 500 milligrams containing a schedule IIA</u>
17	<u>controlled substance listed in AS 11.71.150(e)(11) - (15);</u>
18	(C) less than 50 tablets, ampules, or syrettes containing a
19	schedule VA controlled substance;
20	(D) one or more preparations, compounds, mixtures, or
21	substances of an aggregate weight of less than six grams containing a
22	schedule VA controlled substance; or
23	(E) one or more preparations, compounds, mixtures, or
24	substances of an aggregate weight of one ounce or more containing a
25	schedule VIA controlled substance.
26	(b) Misconduct involving a controlled substance in the <u>fifth</u> [FOURTH]
27	degree is a class A misdemeanor.
28	* Sec. 31. AS 11.71.060 is amended to read:
29	Sec. 11.71.060. Misconduct involving a controlled substance in the <u>sixth</u>
30	[FIFTH] degree. (a) Except as authorized in AS 17.30, a person commits the crime of
31	misconduct involving a controlled substance in the sixth [FIFTH] degree if the person

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1	(1) uses or displays any amount of a schedule VIA controlled
2	substance;
3	(2) possesses one or more preparations, compounds, mixtures, or
4	substances of an aggregate weight of
5	(A) less than one ounce containing a schedule VIA controlled
6	substance;
7	(B) six grams or less containing a schedule IIIA controlled
8	substance listed in AS 11.71.160(f)(7) - (16) that has been sprayed on or
9	otherwise applied to tobacco, an herb, or another organic material; or
10	(3) refuses entry into a premise for an inspection authorized under
11	AS 17.30.
12	(b) Misconduct involving a controlled substance in the <u>sixth</u> [FIFTH] degree
13	is a class B misdemeanor.
14	* Sec. 32. AS 11.71.311(a) is amended to read:
15	(a) A person may not be prosecuted for a violation of AS 11.71.030(a)(3),
16	11.71.040(a)(3) or (4), <u>11.71.050(a)(5)</u> [11.71.050(a)(4)], or 11.71.060(a)(1) or (2) if
17	that person
18	(1) sought, in good faith, medical or law enforcement assistance for
19	another person who the person reasonably believed was experiencing a drug overdose
20	and
21	(A) the evidence supporting the prosecution for an offense
22	under AS $11.71.030(a)(3)$, $11.71.040(a)(3)$ or (4), $11.71.050(a)(5)$
23	[11.71.050(a)(4)], or 11.71.060(a)(1) or (2) was obtained or discovered as a
24	result of the person seeking medical or law enforcement assistance;
25	(B) the person remained at the scene with the other person until
26	medical or law enforcement assistance arrived; and
27	(C) the person cooperated with medical or law enforcement
28	personnel, including by providing identification;
29	(2) was experiencing a drug overdose and sought medical assistance,
30	and the evidence supporting a prosecution for an offense under AS 11.71.030(a)(3),
31	$11.71.040(a)(3)$ or (4), $\underline{11.71.050(a)(5)}$ [11.71.050(a)(4)], or $11.71.060(a)(1)$ or (2)
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1	was obtained as a result of the overdose and the need for medical assistance.
2	* Sec. 33. AS 12.55.125(d) is amended to read:
3	(d) Except as provided in (i) of this section, a defendant convicted of a class B
4	felony may be sentenced to a definite term of imprisonment of not more than 10 years,
5	and shall be sentenced to a definite term within the following presumptive ranges,
6	subject to adjustment as provided in AS 12.55.155 - 12.55.175:
7	(1) if the offense is a first felony conviction and does not involve
8	circumstances described in (2) of this subsection, one [ZERO] to three [TWO] years;
9	a defendant sentenced under this paragraph may, if the court finds it appropriate, be
10	granted a suspended imposition of sentence under AS 12.55.085 if, as a condition of
11	probation under AS 12.55.086, the defendant is required to serve an active term
12	of imprisonment within the range specified in this paragraph, unless the court
13	finds that a mitigation factor under AS 12.55.155 applies;
14	(2) if the offense is a first felony conviction,
15	(A) the defendant violated AS 11.41.130, and the victim was
16	[(A)] a child under 16 years of age, two to four years; [OR]
17	(B) two to four years if the conviction is for attempt.
18	solicitation, or conspiracy to manufacture related to methamphetamine
19	<u>under AS 11.31 and AS 11.71.021(a)(2)(A) or (B), and</u>
20	(i) the attempted manufacturing occurred, or the
21	solicited or conspired offense was to have occurred, in a building
22	with reckless disregard that the building was used as a permanent
23	or temporary home or place of lodging for one or more children
24	under 18 years of age or the building was a place frequented by
25	<u>children; or</u>
26	(ii) in the course of an attempt to manufacture, the
27	<u>defendant obtained the assistance of one or more children under 18</u>
28	<u>years of age or one or more children were present</u> [WAS 16 YEARS
29	OF AGE OR OLDER, ONE TO THREE YEARS];
30	(3) if the offense is a second felony conviction, <u>four</u> [TWO] to <u>seven</u>
31	[FIVE] years;

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1	(4) if the offense is a third felony conviction, \underline{six} [FOUR] to 10 years.
2	* Sec. 34. AS 34.03.360(7) is amended to read:
3	(7) "illegal activity involving a controlled substance" means a violation
4	of AS 11.71.010(a), <u>11.71.021(a), 11.71.030(a)(2) or (9)</u> [11.71.030(a)(1), (2), OR (4)
5	- (8)], or 11.71.040(a)(1), (2), or (5);
6	* Sec. 35. AS 44.41 is amended by adding a new section to read:
7	Sec. 44.41.065. Sexual assault examination kits. (a) When a law enforcement
8	agency collects a sexual assault examination kit under AS 18.68.010, the agency shall
9	(1) within 30 days after the agency collects the sexual assault
10	examination kit, send the sexual assault examination kit to an accredited laboratory in
11	coordination with the Department of Public Safety or a laboratory operated by the
12	Department of Public Safety;
13	(2) ensure that the laboratory to which the sexual assault examination
14	kit is sent under (1) of this subsection conducts a serological or DNA test on the
15	sexual assault examination kit within one year after the laboratory receives the sexual
16	assault examination kit; and
17	(3) within two weeks after the laboratory that receives the sexual
18	assault examination kit under (1) of this subsection completes serological or DNA
19	testing, make a reasonable effort to notify the victim from whom the sexual assault
20	examination kit was collected that the sexual assault examination kit has been tested.
21	(b) A criminal action may not be dismissed nor the evidence deemed
22	nonadmissible for failure to be tested within the times established in (a)(1) and (2) of
23	this section.
24	(c) If a case is resolved before a sexual assault examination kit is tested, a law
25	enforcement agency is not required to meet the time limits established in (a) of this
26	section.
27	(d) In this section,
28	(1) "law enforcement agency" or "agency" has the meaning given to
29	"law enforcement agency" in AS 12.36.090;
30	(2) "victim" has the meaning given in AS 11.41.470.
31	* Sec. 36. AS 44.41.070(a) is amended to read:
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(a) By September 1 of each year, each law enforcement agency and state 1 2 department charged with the maintenance, storage, and preservation of sexual assault 3 examination kits shall conduct an inventory of untested sexual assault examination kits and report, in writing, to the Department of Public Safety the number of untested 4 sexual assault examination kits in the possession of the agency or department, the 5 number of sexual assault examination kits that the law enforcement agency or 6 state department has determined is ineligible for testing under (e) of this section, 7 8 with the reason or reasons the untested sexual assault examination kits were 9 determined to be ineligible for testing, and the date on which each untested sexual 10 assault examination kit was collected. * Sec. 37. AS 44.41.070(b) is amended to read: 11 (b) By November 1 of each year, the Department of Public Safety shall 12 13 prepare and transmit a report to the president of the senate and the speaker of the 14 house of representatives that contains 15 (1) the number of untested sexual assault examination kits stored by each law enforcement agency or department and the number of sexual assault 16 17 examination kits that the law enforcement agency or state department has 18 determined is ineligible for testing under (e) of this section, with the reason or 19 reasons the untested sexual assault examination kits were determined to be 20 ineligible for testing; 21 (2) the date each untested sexual assault examination kit was collected; 22 and 23 (3) a plan for addressing the backlog and prevention of a backlog of 24 untested sexual assault examination kits. * Sec. 38. AS 44.41.070 is amended by adding a new subsection to read: 25 26 (e) A sexual assault examination kit is ineligible for testing if the law enforcement agency or state department finds that the sexual assault examination kit 27 28 (1) is scientifically unviable; 29 does not meet eligibility requirements for inclusion in the (2)30 Combined DNA Index System database; or 31 (3) was collected from a person who wishes to remain anonymous.

1 * Sec. 39. The uncodified law of the State of Alaska is amended by adding a new section to 2 read: 3 DIRECT COURT RULE AMENDMENT. Rule 6(r)(6), Alaska Rules of Criminal Procedure, is amended to read: 4 5 (6) When a prior conviction is an element of an offense [IN A PROSECUTION FOR DRIVING WHILE INTOXICATED UNDER AS 28.35.030(n) 6 OR FOR REFUSAL TO SUBMIT TO A CHEMICAL TEST UNDER 7 8 AS 28.35.032(p)], hearsay evidence received through the Alaska Public Safety 9 Information Network or from other government agencies of prior convictions [OF DRIVING WHILE INTOXICATED OR REFUSAL TO SUBMIT TO A CHEMICAL 10 11 TEST] may be presented to the grand jury. Sec. 40. AS 11.46.980(d), 11.46.982; AS 11.56.330(a)(3); AS 11.71.030(a)(1), 12 13 11.71.030(a)(4), 11.71.030(a)(5), 11.71.030(a)(6), 11.71.030(a)(7), 11.71.030(a)(8), 14 11.71.030(c), 11.71.040(a)(11), 11.71.030(e), 11.71.050(a)(4); AS 12.25.180(b)(3); 15 AS 12.55.135(*l*), 12.55.135(n), and 12.55.145(a)(5) are repealed. * Sec. 41. The uncodified law of the State of Alaska is amended by adding a new section to 16 17 read: 18 APPLICABILITY. (a) The following sections apply to offenses committed on or after 19 the effective date of those sections: 20 (1) AS 11.41.110(a), as amended by sec. 1 of this Act; 21 (2) AS 11.41.150(a), as amended by sec. 2 of this Act; 22 (3) AS 11.41.410(a), as amended by sec. 3 of this Act; (4) AS 11.41.420(a), as amended by sec. 4 of this Act; 23 24 (5) AS 11.41.425(a), as amended by sec. 5 of this Act; (6) AS 11.46.130(a), as amended by sec. 6 of this Act; 25 26 (7) AS 11.46.140(a), as amended by sec. 7 of this Act; 27 (8) AS 11.46.150(a), as amended by sec. 8 of this Act; 28 (9) AS 11.46.220(c), as amended by sec. 9 of this Act; 29 (10) AS 11.46.260(b), as amended by sec. 10 of this Act; 30 (11) AS 11.46.270(b), as amended by sec. 11 of this Act; 31 (12) AS 11.46.280(d), as amended by sec. 12 of this Act;

1	(13) AS 11.46.285(b), as amended by sec. 13 of this Act;	
2	(14) AS 11.46.295, as amended by sec. 14 of this Act;	
3	(15) AS 11.46.360(a), as amended by sec. 15 of this Act;	
4	(16) AS 11.46.482(a), as amended by sec. 16 of this Act;	
5	(17) AS 11.46.484(a), as amended by sec. 17 of this Act;	
6	(18) AS 11.46.486(a), as amended by sec. 18 of this Act;	
7	(19) AS 11.46.530(b), as amended by sec. 19 of this Act;	
8	(20) AS 11.46.620(d), as amended by sec. 20 of this Act;	
9	(21) AS 11.46.730(c), as amended by sec. 21 of this Act;	
10	(22) AS 11.56.320(a), as amended by sec. 22 of this Act;	
11	(23) AS 11.56.730(a), as amended by sec. 23 of this Act;	
12	(24) AS 11.56.730(d), as amended by sec. 24 of this Act;	
13	(25) AS 11.71.021, enacted by sec. 25 of this Act;	
14	(26) AS 11.71.030(a), as amended by sec. 26 of this Act;	
15	(27) AS 11.71.030(d), as amended by sec. 27 of this Act;	
16	(28) AS 11.71.040(a), as amended by sec. 28 of this Act;	
17	(29) AS 11.71.040(d), as amended by sec. 29 of this Act;	
18	(30) AS 11.71.050, as amended by sec. 30 of this Act;	
19	(31) AS 11.71.060, as amended by sec. 31 of this Act;	
20	(32) AS 11.71.311(a), as amended by sec. 32 of this Act.	
21	(b) AS 12.55.125(d), as amended by sec. 33 of this Act, applies to sentences imposed	
22	on or after the effective date of sec. 33 of this Act for conduct occurring on or after the	
23	effective date of sec. 33 of this Act.	
24	* Sec. 42. The uncodified law of the State of Alaska is amended by adding a new section to	
25	read:	
26	CONDITIONAL EFFECT. Section 39 of this Act takes effect only if sec. 39 of this	
27	Act receives the two-thirds majority vote of each house required by art. IV, sec. 15,	
28	Constitution of the State of Alaska.	
29	* Sec. 43. This Act takes effect July 1, 2019.	

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