

ALASKA STATE LEGISLATURE



REPRESENTATIVE JOHN LINCOLN

Sectional Analysis House Bill 14 version R

Section 1: Amends AS 11.41.200(a), classifying strangulation to the point of unconsciousness as assault in the first degree.

Section 2: Amends AS 11.61.118(a), applying the language “under circumstances not proscribed under AS 11.41.434 – 11.41.440” to contact with bodily fluids in addition to offensive contact. This language guides a prosecuting attorney to determine first if the criteria of a sexual abuse of a minor is met before considering a harassment charge.

Section 3: Amends AS 11.81.900(b)(15), clarifying that “dangerous instrument” with relation to strangulation includes hands or “other body parts”.

Section 4: Amends AS 11.81.900(b)(60), to include in the definition of sexual contact “knowingly causing the victim to come into contact with ejaculate”.

Section 5: Amends AS 12.55.155(c), adding strangulation to the point of unconsciousness to the list of aggravating factors to be considered at sentencing.

Section 6: Amends AS 12.61.015(a), adding all victims of sex crimes to the notification requirements of this statute. This section also adds language to existing subsection (a)(4), directing the prosecuting attorney to record the victim’s (or victim’s legal guardian’s) response to a proposed plea agreement before entering into such an agreement.

Section 7: Amends AS 12.61.015, adding a new subsection (d) and (e). Subsection (d) provides the court may reschedule a plea agreement to allow additional time for the prosecutor to comply with the victim notification requirements. Subsection (e) clarifies that a victim is in no way required to provide a response regarding a plea agreement, nor would the victim’s response bind the prosecutor to accept or reject the plea agreement.

Section 8: Establishes that the provisions are applicable only to crimes committed on or after the effective date of the legislation.