



SB 187 Harassment; Sex Offenders and Offenses Sectional

February 14, 2022

Section 1. This section includes conforming amendments to the changes made to the crime of harassment in section 2-4.

Section 2. This section creates the new crime of harassment in the first degree (class C felony). A person is guilty of harassment in the first degree if they intentionally subject another person to offensive physical contact by touching, either directly or through clothing, the other person's genitals, buttocks, or female breast.

Section 3. This section renames the current crime of harassment in the first degree "harassment in the second degree." A person is guilty of harassment in the second degree if they knowingly subject another person to offensive physical contact with blood, mucus, saliva, semen, urine, vomitus, or feces. Section (a)(2) of this statute is repealed in the repealer section.

Section 4. This section renames the crime of harassment in the second degree to "harassment in the third degree". It also changes the required mental state from "intent to harass or annoy" to "knowingly" for subsections (a)(5) (offensive physical contact) and (a)(7) (repeatedly sending a communication that taunts, challenges, or intimates a person under 18 in a manner that places the person in reasonable fear of physical injury).

Section 5. This section requires a person required to register as a sex offender to report additional information such as passport information, physical address of the person's employer, and the person's job title to the Department of Public Safety.

Section 6. This section contains a conforming amendment to the changes made in sec. 5.

Section 7. This section requires a person required to register as a sex offender to notify the Department of Public Safety if the person plans to leave the state or is away from any address provided to the department for seven days or more.

Section 8. This section clarifies that the duration of the tolling period for sex offenders who are in noncompliance with this chapter will be day for day.

Section 9. This section adds to the list of offenses that will require a person to register as a sex offender:

- 1.) Sending an explicit image of a minor if the image has been distributed on the Internet;
- 2.) Harassment in the first degree (new statute in this bill);
- 3.) Animal cruelty where sexual conduct is involved; and
- 4.) Misconduct involving a corpse.

Section 10. This section requires a lifetime revocation of a person's Alaska teaching certificate if the person has been convicted of distribution or possession of child pornography (AS 11.61.125-11.65.127).

Section 11. This section amends the definition of "crime involving domestic violence" to include the new harassment statute (AS 11.61.117), interfering with a crime involving domestic violence (AS 11.56.745) and unlawful contact (AS 11.56.750 – 11.56.755).

Section 12. This section allows a probation officer to arrest a sex offender for the crime of violation by a sex offender of a condition of probation under AS 11.56.759.

Section 13. This section expands the arrest authority of a pretrial services officer to include escape in the third degree (class C felony), tampering with physical evidence (class C felony), and unlawful contact in the first degree (class A misdemeanor).

Section 14. This section allows multidisciplinary child protection teams to assist in the evaluation and investigation of reports of sexual contact or sexual penetration occurring between two children under the age of 13.

Section 15. This section contains a conforming amendment incorporating the new harassment in the first degree statute (touching of buttocks, genitals, breast either directly or through clothing) into the child protection statutes requiring the department to report certain conduct to law enforcement.

Section 16. This section makes the applicability section found in HB 49 (sec. 142(c), ch. 4, FSSLA 2019) related to requiring sex offenders who are required to register in another state to also register with Alaska when they are present in the state retroactive. This will

allow that requirement to apply to individuals who were required to register in another state at the time that HB 49 became effective.

Section 17. This is the repealer section.

Section 18. This is the applicability section.

Section 19. This is the effective date section. The bill is effective July 1, 2022.