



# LAWS OF ALASKA

1988

**Source**

SCS CSHB 229 (Jud)

**Chapter No.**

67

**AN ACT**

Amending the definition of murder in the first degree to include homicide by a pattern or practice of assault or torture of a child under the age of 16.

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

THE ACT FOLLOWS ON PAGE 1, LINE 11.

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: May 27, 1988  
Actual Effective Date: August 25, 1988

AN ACT

Amending the definition of murder in the first degree to include homicide by a pattern or practice of assault or torture of a child under the age of 16.

\* Section 1. AS 11.41.100(a) is amended to read:

(a) A person commits the crime of murder in the first degree if  
(1) [,] with intent to cause the death of another person,  
the person

(A) [(1)] causes the death of any person; or

(B) [(2)] compels or induces any person to commit  
suicide through duress or deception; or

(2) the person knowingly engages, under circumstances manifesting extreme indifference to the value of human life, in a pattern or practice of assault or torture of a child under the age of 16, and one of the acts of assault or torture results in the death of the child; for purposes of this paragraph, a person "engages in a pattern or practice of assault or torture" if the person inflicts serious physical injury to the child by at least two separate acts, and one of the acts results in the death of the child.

\* Sec. 2. AS 11.41.115(a) is amended to read:

(a) In a prosecution under AS 11.41.100(a)(1)(A) [AS 11.41.-100(a)(1)] or 11.41.110(a)(1), it is a defense that the defendant acted in a heat of passion, before there had been a reasonable

Chapter 67

1 opportunity for the passion to cool, when the heat of passion resulted  
2 from a serious provocation by the intended victim.  
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