



# LAWS OF ALASKA

2000

**Source**

HCS SB 268(JUD) am H

**Chapter No.**

49

**AN ACT**

Relating to mandatory 99-year terms of imprisonment for persons convicted of certain murders.

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

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Approved by the Governor: May 11, 2000

Actual Effective Date: August 9, 2000

AN ACT

1 Relating to mandatory 99-year terms of imprisonment for persons convicted of certain murders.

2

3 \* Section 1. AS 12.55.125(a) is amended to read:

4 (a) A defendant convicted of murder in the first degree shall be sentenced to  
5 a definite term of imprisonment of at least 20 years but not more than 99 years. A  
6 defendant convicted of murder in the first degree shall be sentenced to a mandatory  
7 term of imprisonment of 99 years when

8 (1) the defendant is convicted of the murder of a uniformed or  
9 otherwise clearly identified peace officer, fire fighter, or correctional employee who  
10 was engaged in the performance of official duties at the time of the murder;

11 (2) the defendant has been previously convicted of

12 (A) murder in the first degree under AS 11.41.100 or former  
13 AS 11.15.010 or 11.15.020;

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1 (B) murder in the second degree under AS 11.41.110 or former  
2 AS 11.15.030; or

3 (C) homicide under the laws of another jurisdiction when the  
4 offense of which the defendant was convicted contains elements similar to first  
5 degree murder under AS 11.41.100 or second degree murder under  
6 AS 11.41.110; [OR]

7 (3) the court finds by clear and convincing evidence that the defendant  
8 subjected the murder victim to substantial physical torture; or

9 (4) the defendant is convicted of the murder of and personally  
10 caused the death of a person, other than a participant, during a robbery.

11 \* Sec. 2. AS 12.55.125 is amended by adding a new subsection to read:

12 (m) Notwithstanding (a)(4) and (f) of this section, if a court finds that  
13 imposition of a mandatory term of imprisonment of 99 years on a defendant subject  
14 to sentencing under (a)(4) of this section would be manifestly unjust, the court may  
15 sentence the defendant to a definite term of imprisonment otherwise permissible under  
16 (a) of this section.

17 \* Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section  
18 to read:

19 **APPLICABILITY.** This Act applies to offenses committed on or after the effective  
20 date of this Act.