

CS FOR SENATE BILL NO. 45(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 2/2/07

Referred: Judiciary

Sponsor(s): SENATOR OLSON

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to murder in the first degree."**

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

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 SHORT TITLE. This Act may be known as the Sonya Ivanoff Act.

6 * **Sec. 2.** AS 12.55.125(a) is amended to read:

7 (a) A defendant convicted of murder in the first degree or murder of an unborn
8 child under AS 11.41.150(a)(1) shall be sentenced to a definite term of imprisonment
9 of at least 20 years but not more than 99 years. A defendant convicted of murder in the
10 first degree shall be sentenced to a mandatory term of imprisonment of 99 years when

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

14 (2) the defendant has been previously convicted of

15 (A) murder in the first degree under AS 11.41.100 or former

1 AS 11.15.010 or 11.15.020;

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

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

8 (3) the court finds by clear and convincing evidence that the defendant
9 subjected the murder victim to substantial physical torture; [OR]

10 (4) the defendant is convicted of the murder of and personally caused
11 the death of a person, other than a participant, during a robbery; **or**

12 **(5) the court finds by clear and convincing evidence that the**
13 **defendant is a peace officer who used the officer's authority as a peace officer to**
14 **facilitate the murder.**

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

17 APPLICABILITY. Section 2 of this Act applies to offenses committed on or after the
18 effective date of this Act.