

AMENDMENT #32

OFFERED IN THE HOUSE

BY REPRESENTATIVE TUCK

TO: HCS CSSSSB 91(FIN)

1 Page 1, line 2, following "**substances**";:

2 Insert "**relating to victims of criminal offenses**";

3
4 Page 55, following line 3:

5 Insert new bill sections to read:

6 **** Sec. 88.** AS 12.61 is amended by adding a new section to read:

7 **Sec. 12.61.016. Duties of agency investigating a sexual offense.** A law
8 enforcement agency investigating an offense under AS 11.41.410 - 11.41.470 may not
9 disclose information related to the investigation to an employer of the victim unless

10 (1) the victim expressly permits the disclosure; or

11 (2) the agency determines the disclosure is necessary to investigate or
12 prevent a crime.

13 *** Sec. 89.** AS 12.61.017(a) is amended to read:

14 (a) An employer may not penalize or threaten to penalize a victim **of an**
15 **offense** because the victim

16 **(1)** is subpoenaed or requested by the prosecuting attorney to attend a
17 court proceeding for the purpose of giving testimony; **or**

18 **(2)** **reports the offense to a law enforcement agency or participates**
19 **in the investigation of the offense by a law enforcement agency** [. IN THIS

20 SUBSECTION, "PENALIZE" MEANS TO TAKE ACTION AFFECTING THE
21 EMPLOYMENT STATUS, WAGES, AND BENEFITS PAYABLE TO THE
22 VICTIM, INCLUDING

23 (1) DEMOTION OR SUSPENSION;

- 1 (2) DISMISSAL FROM EMPLOYMENT; AND
- 2 (3) LOSS OF PAY OR BENEFITS, EXCEPT PAY AND BENEFITS
- 3 THAT ARE DIRECTLY ATTRIBUTABLE TO THE VICTIM'S ABSENCE FROM
- 4 EMPLOYMENT TO ATTEND THE COURT PROCEEDING].

5 * Sec. 90. AS 12.61.017 is amended by adding a new subsection to read:

6 (d) In this section, "penalize" means to take action affecting the employment
7 status, wages, and benefits payable to the victim, including

- 8 (1) demotion or suspension;
- 9 (2) dismissal from employment; and
- 10 (3) loss of pay or benefits, except pay and benefits that are directly
- 11 attributable to the victim's absence from employment to
 - 12 (A) attend the court proceeding;
 - 13 (B) report the offense to a law enforcement agency;
 - 14 (C) participate in a law enforcement agency investigation of the
 - 15 offense."

16
17 Renumber the following bill sections accordingly.

18
19 Page 108, line 19:

- 20 Delete "sec. 105"
- 21 Insert "sec. 108"

22
23 Page 110, line 28:

- 24 Delete "sec. 92"
- 25 Insert "sec. 95"

26
27 Page 110, line 29:

- 28 Delete "sec. 93"
- 29 Insert "sec. 96"

30
31 Page 110, line 30:

1 Delete "sec. 99"

2 Insert "sec. 102"

3

4 Page 110, line 31:

5 Delete "sec. 100"

6 Insert "sec. 103"

7

8 Page 111, line 1:

9 Delete "sec. 149"

10 Insert "sec. 152"

11

12 Page 111, line 19:

13 Delete "sec. 95"

14 Insert "sec. 98"

15

16 Page 111, line 20:

17 Delete "sec. 98"

18 Insert "sec. 101"

19

20 Page 111, line 21:

21 Delete "sec. 108"

22 Insert "sec. 111"

23

24 Page 111, line 22:

25 Delete "sec. 109"

26 Insert "sec. 112"

27

28 Page 111, line 23:

29 Delete "sec. 110"

30 Insert "sec. 113"

31

1 Page 111, line 24:

2 Delete "sec. 112"

3 Insert "sec. 115"

4

5 Page 111, line 25:

6 Delete "sec. 121"

7 Insert "sec. 124"

8

9 Page 111, line 26:

10 Delete "sec. 141"

11 Insert "sec. 144"

12

13 Page 112, line 24:

14 Delete "sec. 103"

15 Insert "sec. 106"

16

17 Page 112, line 28:

18 Delete "sec. 90"

19 Insert "sec. 93"

20

21 Page 112, line 29:

22 Delete "sec. 91"

23 Insert "sec. 94"

24

25 Page 112, line 30:

26 Delete "sec. 97"

27 Insert "sec. 100"

28

29 Page 113, line 2:

30 Delete "sec. 106"

31 Insert "sec. 109"

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Page 113, line 3:

Delete "sec. 107"

Insert "sec. 110"

Page 113, line 4:

Delete "sec. 111"

Insert "sec. 114"

Page 113, line 5:

Delete "sec. 113"

Insert "sec. 116"

Page 113, line 6:

Delete "sec. 114"

Insert "sec. 117"

Page 113, line 7:

Delete "sec. 115"

Insert "sec. 118"

Page 113, line 8:

Delete "sec. 122"

Insert "sec. 125"

Page 113, line 9:

Delete "sec. 123"

Insert "sec. 126"

Page 113, line 10:

Delete "sec. 124"

1 Insert "sec. 127"

2

3 Page 113, line 11:

4 Delete "sec. 125"

5 Insert "sec. 128"

6

7 Page 113, line 12:

8 Delete "sec. 126"

9 Insert "sec. 129"

10

11 Page 113, line 13:

12 Delete "sec. 127"

13 Insert "sec. 130"

14

15 Page 113, line 14:

16 Delete "sec. 128"

17 Insert "sec. 131"

18

19 Page 113, line 15:

20 Delete "sec. 130"

21 Insert "sec. 133"

22

23 Page 113, line 16:

24 Delete "sec. 166"

25 Insert "sec. 169"

26

27 Page 113, line 17:

28 Delete "166"

29 Insert "169"

30

31 Page 113, line 29:

- 1 Delete "sec. 105"
- 2 Insert "sec. 108"
- 3
- 4 Page 114, line 1:
 - 5 Delete "sec. 129"
 - 6 Insert "sec. 132"
 - 7
- 8 Page 114, line 2:
 - 9 Delete "sec. 131"
 - 10 Insert "sec. 134"
 - 11
- 12 Page 114, line 3:
 - 13 Delete "sec. 132"
 - 14 Insert "sec. 135"
 - 15
- 16 Page 114, line 4:
 - 17 Delete "sec. 133"
 - 18 Insert "sec. 136"
 - 19
- 20 Page 114, line 5:
 - 21 Delete "sec. 134"
 - 22 Insert "sec. 137"
 - 23
- 24 Page 114, line 6:
 - 25 Delete "sec. 135"
 - 26 Insert "sec. 138"
 - 27
- 28 Page 114, line 7:
 - 29 Delete "sec. 136"
 - 30 Insert "sec. 139"
 - 31

- 1 Page 114, line 8:
- 2 Delete "sec. 137"
- 3 Insert "sec. 140"
- 4
- 5 Page 114, line 9:
- 6 Delete "sec. 138"
- 7 Insert "sec. 141"
- 8
- 9 Page 114, line 10:
- 10 Delete "sec. 139"
- 11 Insert "sec. 142"
- 12
- 13 Page 114, line 11:
- 14 Delete "sec. 102"
- 15 Insert "sec. 105"
- 16
- 17 Page 114, line 12:
- 18 Delete "sec. 102"
- 19 Insert "sec. 105"
- 20
- 21 Page 114, line 13:
- 22 Delete "sec. 102"
- 23 Insert "sec. 105"
- 24
- 25 Page 114, line 14:
- 26 Delete "sec. 102"
- 27 Insert "sec. 105"
- 28
- 29 Page 114, line 15:
- 30 Delete "sec. 142"
- 31 Insert "sec. 145"

- 1
- 2 Page 114, line 16:
 - 3 Delete "sec. 142"
 - 4 Insert "sec. 145"
 - 5
- 6 Page 114, line 17:
 - 7 Delete "sec. 142"
 - 8 Insert "sec. 145"
 - 9
- 10 Page 114, line 18:
 - 11 Delete "sec. 142"
 - 12 Insert "sec. 145"
 - 13
- 14 Page 115, line 4:
 - 15 Delete "sec. 101"
 - 16 Insert "sec. 104"
 - 17
- 18 Page 115, line 19:
 - 19 Delete "sec. 166"
 - 20 Insert "sec. 169"
 - 21
- 22 Page 115, line 22:
 - 23 Delete "sec. 168(a)"
 - 24 Insert "sec. 171(a)"
 - 25
- 26 Page 115, line 24:
 - 27 Delete "sec. 168(b)"
 - 28 Insert "sec. 171(b)"
 - 29
- 30 Page 115, line 27:
 - 31 Delete "sec. 168(c)"

- 1 Insert "sec. 171(c)"
- 2
- 3 Page 115, line 30:
- 4 Delete "sec. 168(d)"
- 5 Insert "sec. 171(d)"
- 6
- 7 Page 116, line 2:
- 8 Delete "sec. 105"
- 9 Insert "sec. 108"
- 10 Delete "sec. 168(e)"
- 11 Insert "sec. 171(e)"
- 12
- 13 Page 116, lines 5 - 6:
- 14 Delete "90 - 94, 97, 99 - 101, 142, 148 - 158, 167, 168(b), 168(c), and 168(d)"
- 15 Insert "93 - 97, 102 - 104, 145, 151 - 161, 170, 171(b), 171(c), and 171(d)"
- 16
- 17 Page 116, line 8:
- 18 Delete "Section 89"
- 19 Insert "Section 92"
- 20
- 21 Page 116, lines 9 - 10:
- 22 Delete "95, 96, 98, 102 - 104, 106 - 141, 143 - 146, and 159 - 161"
- 23 Insert "98, 99, 101, 105 - 107, 109 - 144, 146 - 149, and 162 - 164"
- 24
- 25 Page 116, line 11:
- 26 Delete "Section 147"
- 27 Insert "Section 150"
- 28
- 29 Page 116, line 12:
- 30 Delete "88, 105, 168(a), and 168(e)"
- 31 Insert "91, 108, 171(a), and 171(e)"

1

2 Page 116, line 14:

3 Delete "sec. 166"

4 Insert "sec. 169"