

**HOUSE BILL NO. 389**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE EASTMAN**

**Introduced: 2/21/18**

**Referred: State Affairs, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to juries; and amending Rule 30, Alaska Rules of Criminal**  
2 **Procedure."**

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

4 **\* Section 1.** AS 12.45 is amended by adding a new section to article 2 to read:

5 **Sec. 12.45.117. Jury instructions.** A trial court judge shall instruct a jury that  
6 the jury has the

7 (1) right to judge both the law and fact in controversy in a criminal  
8 proceeding; and

9 (2) power to find a defendant not guilty when a guilty verdict would be  
10 manifestly unjust.

11 **\* Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 **INDIRECT COURT RULE AMENDMENT.** AS 12.45.117, enacted by sec. 1 of this  
14 Act, has the effect of changing Rule 30, Alaska Rules of Criminal Procedure, by requiring

1 certain information to be included in jury instructions.

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

4 CONDITIONAL EFFECT. AS 12.45.117, enacted by sec. 1 of this Act, takes effect  
5 only if sec. 2 of this Act receives the two-thirds majority vote of each house required by art.  
6 IV, sec. 15, Constitution of the State of Alaska.