

AMENDMENT #4

OFFERED IN THE SENATE

BY SENATOR BEGICH

TO: SCS CSHB 49(FIN)

1 Page 1, line 1, following "procedure":

2 Insert "relating to sexual assault by a peace officer against a person who is a
3 perpetrator of a crime;"

4

5 Page 2, line 23:

6 Delete "sec. 77"

7 Insert "sec. 78"

8

9 Page 2, line 24:

10 Delete "sec. 81"

11 Insert "sec. 82"

12

13 Page 2, line 27:

14 Delete "sec. 77"

15 Insert "sec. 78"

16

17 Page 3, line 3:

18 Delete "sec. 77"

19 Insert "sec. 78"

20

21 Page 3, line 16:

22 Delete "sec. 89"

23 Insert "sec. 90"

1

2 Page 3, line 21:

3 Delete "sec. 89"

4 Insert "sec. 90"

5

6 Page 3, line 25:

7 Delete "sec. 89"

8 Insert "sec. 90"

9

10 Page 6, lines 25 - 29:

11 Delete all material and insert:

12 "(4) while employed in the state by a law enforcement agency as a peace
13 officer, or while acting as a peace officer in the state, engages in sexual penetration
14 with a person with reckless disregard that the person is in the custody or the apparent
15 custody of the offender, [OR] is committed to the custody of a law enforcement
16 agency, or is the perpetrator of a crime under investigation by the offender;"

17

18 Page 7, following line 6:

19 Insert a new bill section to read:

20 **** Sec. 6.** AS 11.41.427(a) is amended to read:

21 (a) An offender commits the crime of sexual assault in the fourth degree if

22 (1) while employed in a state correctional facility or other placement
23 designated by the commissioner of corrections for the custody and care of prisoners,
24 the offender engages in sexual contact with a person who the offender knows is
25 committed to the custody of the Department of Corrections to serve a term of
26 imprisonment or period of temporary commitment;

27 (2) the offender engages in sexual contact with a person 18 or 19 years
28 of age who the offender knows is committed to the custody of the Department of
29 Health and Social Services under AS 47.10 or AS 47.12 and the offender is the legal
30 guardian of the person;

31 (3) while employed in the state by a law enforcement agency as a

1 peace officer, or while acting as a peace officer in the state, the offender engages in
 2 sexual contact with a person with reckless disregard that the person is in the custody or
 3 the apparent custody of the offender, [OR] is committed to the custody of a law
 4 enforcement agency, or is the perpetrator of a crime under investigation by the
 5 offender;

6 (4) while employed by the state or a municipality of the state as a
 7 probation officer or parole officer, or while acting as a probation officer or parole
 8 officer in the state, the offender engages in sexual contact with a person with reckless
 9 disregard that the person is on probation or parole; or

10 (5) while employed as a juvenile probation officer or as a juvenile
 11 facility staff, the offender engages in sexual contact with a person 18 or 19 years of
 12 age with reckless disregard that the person is committed to the custody or probationary
 13 supervision of the Department of Health and Social Services."
 14

15 Renumber the following bill sections accordingly.

16
 17 Page 7, line 17:

18 Delete "and"

19
 20 Page 7, line 19, following "charged":

21 Insert ";

22 (3) AS 11.41.425(a)(4) or 11.41.427(a)(3) that the offender and the
 23 person who is a perpetrator of a crime under investigation by the offender had,
 24 before the person was a perpetrator of a crime under investigation by the
 25 offender, a dating or sexual relationship, and the relationship continued until the
 26 date the person became the perpetrator of a crime under investigation by the
 27 offender"
 28

29 Page 90, following line 14:

30 Insert a new paragraph to read:

31 "(5) AS 11.41.427(a), as amended by sec. 6 of this Act;"

1

2 Renumber the following paragraphs accordingly.

3

4 Page 90, line 15:

5 Delete "sec. 6"

6 Insert "sec. 7"

7

8 Page 90, line 16:

9 Delete "sec. 7"

10 Insert "sec. 8"

11

12 Page 90, line 17:

13 Delete "sec. 8"

14 Insert "sec. 9"

15

16 Page 90, line 18:

17 Delete "sec. 9"

18 Insert "sec. 10"

19

20 Page 90, line 19:

21 Delete "sec. 10"

22 Insert "sec. 11"

23

24 Page 90, line 20:

25 Delete "sec. 11"

26 Insert "sec. 12"

27

28 Page 90, line 21:

29 Delete "sec. 12"

30 Insert "sec. 13"

31

- 1 Page 90, line 22:
- 2 Delete "sec. 13"
- 3 Insert "sec. 14"
- 4
- 5 Page 90, line 23:
- 6 Delete "sec. 14"
- 7 Insert "sec. 15"
- 8
- 9 Page 90, line 24:
- 10 Delete "sec. 15"
- 11 Insert "sec. 16"
- 12
- 13 Page 90, line 25:
- 14 Delete "sec. 16"
- 15 Insert "sec. 17"
- 16
- 17 Page 90, line 26:
- 18 Delete "sec. 17"
- 19 Insert "sec. 18"
- 20
- 21 Page 90, line 27:
- 22 Delete "sec. 18"
- 23 Insert "sec. 19"
- 24
- 25 Page 90, line 28:
- 26 Delete "sec. 19"
- 27 Insert "sec. 20"
- 28
- 29 Page 90, line 29:
- 30 Delete "sec. 20"
- 31 Insert "sec. 21"

- 1
- 2 Page 90, line 30:
 - 3 Delete "sec. 21"
 - 4 Insert "sec. 22"
 - 5
- 6 Page 90, line 31:
 - 7 Delete "sec. 22 "
 - 8 Insert "sec. 23"
 - 9
- 10 Page 91, line 1:
 - 11 Delete "sec. 23"
 - 12 Insert "sec. 24"
 - 13
- 14 Page 91, line 2:
 - 15 Delete "sec. 24"
 - 16 Insert "sec. 25"
 - 17
- 18 Page 91, line 3:
 - 19 Delete "sec. 25"
 - 20 Insert "sec. 26"
 - 21
- 22 Page 91, line 4:
 - 23 Delete "sec. 26"
 - 24 Insert "sec. 27"
 - 25
- 26 Page 91, line 5:
 - 27 Delete "sec. 27"
 - 28 Insert "sec. 28"
 - 29
- 30 Page 91, line 6:
 - 31 Delete "sec. 28"

- 1 Insert "sec. 29"
- 2
- 3 Page 91, line 7:
- 4 Delete "sec. 29"
- 5 Insert "sec. 30"
- 6
- 7 Page 91, line 8:
- 8 Delete "sec. 30"
- 9 Insert "sec. 31"
- 10
- 11 Page 91, line 9:
- 12 Delete "sec. 31"
- 13 Insert "sec. 32"
- 14
- 15 Page 91, line 10:
- 16 Delete "sec. 32"
- 17 Insert "sec. 33"
- 18
- 19 Page 91, line 11:
- 20 Delete "sec. 33"
- 21 Insert "sec. 34"
- 22
- 23 Page 91, line 12:
- 24 Delete "sec. 34"
- 25 Insert "sec. 35"
- 26
- 27 Page 91, line 13:
- 28 Delete "sec. 35"
- 29 Insert "sec. 36"
- 30
- 31 Page 91, line 14:

- 1 Delete "sec. 36"
- 2 Insert "sec. 37"
- 3
- 4 Page 91, line 15:
- 5 Delete "sec. 37"
- 6 Insert "sec. 38"
- 7
- 8 Page 91, line 16:
- 9 Delete "sec. 38"
- 10 Insert "sec. 39"
- 11
- 12 Page 91, line 17:
- 13 Delete "sec. 39"
- 14 Insert "sec. 40"
- 15
- 16 Page 91, line 18:
- 17 Delete "sec. 40"
- 18 Insert "sec. 41"
- 19
- 20 Page 91, line 19:
- 21 Delete "sec. 41"
- 22 Insert "sec. 42"
- 23
- 24 Page 91, line 20:
- 25 Delete "sec. 42"
- 26 Insert "sec. 43"
- 27
- 28 Page 91, line 21:
- 29 Delete "sec. 43"
- 30 Insert "sec. 44"
- 31

1 Page 91, line 22:

2 Delete "sec. 44"

3 Insert "sec. 45"

4

5 Page 91, line 23:

6 Delete "sec. 45"

7 Insert "sec. 46"

8

9 Page 91, line 24:

10 Delete "sec. 46"

11 Insert "sec. 47"

12

13 Page 91, line 25:

14 Delete "sec. 47"

15 Insert "sec. 48"

16

17 Page 91, line 26:

18 Delete "sec. 48"

19 Insert "sec. 49"

20

21 Page 91, line 27:

22 Delete "sec. 49"

23 Insert "sec. 50"

24

25 Page 91, line 28:

26 Delete "sec. 50"

27 Insert "sec. 51"

28

29 Page 91, line 29:

30 Delete "sec. 51"

31 Insert "sec. 52"

- 1
- 2 Page 91, line 30:
 - 3 Delete "sec. 52"
 - 4 Insert "sec. 53"
 - 5
- 6 Page 91, line 31:
 - 7 Delete "sec. 53"
 - 8 Insert "sec. 54"
 - 9
- 10 Page 92, line 1:
 - 11 Delete "sec. 54"
 - 12 Insert "sec. 55"
 - 13
- 14 Page 92, line 2:
 - 15 Delete "sec. 55"
 - 16 Insert "sec. 56"
 - 17
- 18 Page 92, line 3:
 - 19 Delete "sec. 56"
 - 20 Insert "sec. 57"
 - 21
- 22 Page 92, line 4:
 - 23 Delete "sec. 57"
 - 24 Insert "sec. 58"
 - 25
- 26 Page 92, line 5:
 - 27 Delete "sec. 58"
 - 28 Insert "sec. 59"
 - 29
- 30 Page 92, line 6:
 - 31 Delete "sec. 59"

- 1 Insert "sec. 60"
- 2
- 3 Page 92, line 7:
- 4 Delete "sec. 60"
- 5 Insert "sec. 61"
- 6
- 7 Page 92, line 8:
- 8 Delete "sec. 61"
- 9 Insert "sec. 62"
- 10
- 11 Page 92, line 9:
- 12 Delete "sec. 62"
- 13 Insert "sec. 63"
- 14
- 15 Page 92, line 10:
- 16 Delete "sec. 63"
- 17 Insert "sec. 64"
- 18
- 19 Page 92, line 11:
- 20 Delete "sec. 90"
- 21 Insert "sec. 91"
- 22
- 23 Page 92, line 12:
- 24 Delete "sec. 96"
- 25 Insert "sec. 97"
- 26
- 27 Page 92, line 13:
- 28 Delete "sec. 97"
- 29 Insert "sec. 98"
- 30
- 31 Page 92, line 16:

- 1 Delete "sec. 64"
- 2 Insert "sec. 65"
- 3
- 4 Page 92, line 17:
 - 5 Delete "sec. 67"
 - 6 Insert "sec. 68"
 - 7
- 8 Page 92, line 18:
 - 9 Delete "sec. 68"
 - 10 Insert "sec. 69"
 - 11
- 12 Page 92, line 19:
 - 13 Delete "sec. 69"
 - 14 Insert "sec. 70"
 - 15
- 16 Page 92, line 20:
 - 17 Delete "sec. 70"
 - 18 Insert "sec. 71"
 - 19
- 20 Page 92, line 21:
 - 21 Delete "sec. 71"
 - 22 Insert "sec. 72"
 - 23
- 24 Page 92, line 22:
 - 25 Delete "sec. 74"
 - 26 Insert "sec. 75"
 - 27
- 28 Page 92, line 23:
 - 29 Delete "sec. 75"
 - 30 Insert "sec. 76"
 - 31

- 1 Page 92, line 24:
- 2 Delete "sec. 76"
- 3 Insert "sec. 77"
- 4
- 5 Page 92, line 25:
- 6 Delete "sec. 77"
- 7 Insert "sec. 78"
- 8
- 9 Page 92, line 26:
- 10 Delete "sec. 78"
- 11 Insert "sec. 79"
- 12
- 13 Page 92, line 27:
- 14 Delete "sec. 79"
- 15 Insert "sec. 80"
- 16
- 17 Page 92, line 28:
- 18 Delete "sec. 80"
- 19 Insert "sec. 81"
- 20
- 21 Page 92, line 29:
- 22 Delete "sec. 81"
- 23 Insert "sec. 82"
- 24
- 25 Page 92, line 30:
- 26 Delete "sec. 82"
- 27 Insert "sec. 83"
- 28
- 29 Page 92, line 31:
- 30 Delete "sec. 83"
- 31 Insert "sec. 84"

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Page 93, line 1:

Delete "sec. 98"

Insert "sec. 99"

Page 93, line 2:

Delete "sec. 100"

Insert "sec. 101"

Page 93, line 3:

Delete "sec. 125"

Insert "sec. 126"

Page 93, line 4:

Delete "sec. 126"

Insert "sec. 127"

Page 93, line 7:

Delete "sec. 86"

Insert "sec. 87"

Page 93, line 8:

Delete "sec. 87"

Insert "sec. 88"

Page 93, line 9:

Delete "sec. 88"

Insert "sec. 89"

Page 93, line 10:

Delete "sec. 89"

1 Insert "sec. 90"

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3 Page 93, line 13:

4 Delete "sec. 72"

5 Insert "sec. 73"

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7 Page 93, line 14:

8 Delete "sec. 73"

9 Insert "sec. 74"

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11 Page 93, line 15:

12 Delete "sec. 103"

13 Insert "sec. 104"

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15 Page 93, line 16:

16 Delete "sec. 105"

17 Insert "sec. 106"

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19 Page 93, line 17:

20 Delete "sec. 106"

21 Insert "sec. 107"

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23 Page 93, line 18:

24 Delete "sec. 107"

25 Insert "sec. 108"

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27 Page 93, line 19:

28 Delete "sec. 108"

29 Insert "sec. 109"

30

31 Page 93, line 22:

- 1 Delete "sec. 65"
- 2 Insert "sec. 66"
- 3
- 4 Page 93, line 23:
 - 5 Delete "sec. 104"
 - 6 Insert "sec. 105"
 - 7
- 8 Page 93, line 24:
 - 9 Delete "sec. 105"
 - 10 Insert "sec. 106"
 - 11
- 12 Page 93, line 25:
 - 13 Delete "sec. 107"
 - 14 Insert "sec. 108"
 - 15
- 16 Page 93, line 28:
 - 17 Delete "sec. 109"
 - 18 Insert "sec. 110"
 - 19
- 20 Page 93, line 29:
 - 21 Delete "sec. 110"
 - 22 Insert "sec. 111"
 - 23
- 24 Page 93, line 30:
 - 25 Delete "sec. 111"
 - 26 Insert "sec. 112"
 - 27
- 28 Page 93, line 31:
 - 29 Delete "sec. 112"
 - 30 Insert "sec. 113"
 - 31

- 1 Page 94, line 1:
- 2 Delete "sec. 113"
- 3 Insert "sec. 114"
- 4
- 5 Page 94, line 2:
- 6 Delete "sec. 115"
- 7 Insert "sec. 116"
- 8
- 9 Page 94, line 3:
- 10 Delete "sec. 116"
- 11 Insert "sec. 117"
- 12
- 13 Page 94, line 4:
- 14 Delete "sec. 117"
- 15 Insert "sec. 118"
- 16
- 17 Page 94, line 5:
- 18 Delete "sec. 118"
- 19 Insert "sec. 119"
- 20
- 21 Page 94, line 6:
- 22 Delete "sec. 119"
- 23 Insert "sec. 120"
- 24
- 25 Page 94, line 7:
- 26 Delete "sec. 120"
- 27 Insert "sec. 121"
- 28
- 29 Page 94, line 10:
- 30 Delete "sec. 121"
- 31 Insert "sec. 122"

- 1
- 2 Page 94, line 11:
 - 3 Delete "sec. 122"
 - 4 Insert "sec. 123"
 - 5
- 6 Page 94, line 12:
 - 7 Delete "sec. 123"
 - 8 Insert "sec. 124"
 - 9
- 10 Page 94, line 13:
 - 11 Delete "sec. 124"
 - 12 Insert "sec. 125"
 - 13
- 14 Page 94, line 14:
 - 15 Delete "sec. 114"
 - 16 Insert "sec. 115"
 - 17
- 18 Page 94, line 15:
 - 19 Delete "sec. 114"
 - 20 Insert "sec. 115"
 - 21
- 22 Page 94, line 16:
 - 23 Delete "sec. 114"
 - 24 Insert "sec. 115"
 - 25
- 26 Page 94, line 17:
 - 27 Delete "sec. 99"
 - 28 Insert "sec. 100"
 - 29
- 30 Page 94, line 18:
 - 31 Delete "sec. 101"

- 1 Insert "sec. 102"
- 2
- 3 Page 94, line 21:
- 4 Delete "sec. 66"
- 5 Insert "sec. 67"
- 6
- 7 Page 94, line 22:
- 8 Delete "sec. 66"
- 9 Insert "sec. 67"
- 10
- 11 Page 94, line 23:
- 12 Delete "sec. 66"
- 13 Insert "sec. 67"
- 14
- 15 Page 94, line 24:
- 16 Delete "sec. 95"
- 17 Insert "sec. 96"
- 18
- 19 Page 94, line 25:
- 20 Delete "sec. 95"
- 21 Insert "sec. 96"
- 22
- 23 Page 94, line 26:
- 24 Delete "sec. 95"
- 25 Insert "sec. 96"
- 26
- 27 Page 94, line 30:
- 28 Delete "sec. 108"
- 29 Insert "sec. 109"
- 30
- 31 Page 95, line 5:

- 1 Delete "secs. 130 and 131"
- 2 Insert "secs. 131 and 132"
- 3
- 4 Page 95, line 10:
 - 5 Delete "sec. 104"
 - 6 Insert "sec. 105"
 - 7 Delete "sec. 123"
 - 8 Insert "sec. 124"
 - 9
- 10 Page 95, line 12:
 - 11 Delete "sec. 104"
 - 12 Insert "sec. 105"
 - 13
- 14 Page 95, line 13:
 - 15 Delete "sec. 123"
 - 16 Insert "sec. 124"
 - 17
- 18 Page 95, line 23:
 - 19 Delete "Sections 141 - 144"
 - 20 Insert "Sections 142 - 145"
 - 21
- 22 Page 95, lines 23 - 24:
 - 23 Delete "secs. 141 - 144"
 - 24 Insert "secs. 142 - 145"
 - 25
- 26 Page 95, line 26:
 - 27 Delete "Sections 132 - 135"
 - 28 Insert "Sections 133 - 136"
 - 29
- 30 Page 95, line 27:
 - 31 Delete "Sections 129 - 131"

1 Insert "Sections 130 - 132"

2

3 Page 95, line 28:

4 Delete "Section 137"

5 Insert "Section 138"

6

7 Page 95, line 29:

8 Delete "Sections 102, 146, 148, and 151"

9 Insert "Sections 103, 147, 149, and 152"

10

11 Page 95, line 31:

12 Delete "secs. 154 - 157"

13 Insert "secs. 155 - 158"