

AMENDMENT # 3

OFFERED IN THE HOUSE
TO: CSHB 66(FIN)

BY REPRESENTATIVE JOSEPHSON

1 Page 2, lines 21 - 31:

2 Delete all material and insert:

3 "(6) the person knowingly manufactures or delivers a controlled
4 substance in violation of AS 11.71.010 - 11.71.030, and a person dies as a direct
5 result of ingestion of the controlled substance; the death is a result that does not
6 require a culpable mental state.

7 * Sec. 2. AS 11.41.120(a) is amended to read:

8 (a) A person commits the crime of manslaughter if the person

9 (1) intentionally, knowingly, or recklessly causes the death of another
10 person under circumstances not amounting to murder in the first or second degree;

11 (2) intentionally aids another person to commit suicide; or

12 (3) knowingly manufactures or delivers a controlled substance in
13 violation of AS 11.71.040(a)(1) [AS 11.71.010 - 11.71.030 OR 11.71.040(a)(1)] for
14 schedule IVA controlled substances, and a person dies as a direct result of ingestion of
15 the controlled substance; the death is a result that does not require a culpable mental
16 state [; IN THIS PARAGRAPH, "INGESTION" MEANS VOLUNTARILY OR
17 INVOLUNTARILY TAKING A SUBSTANCE INTO THE BODY IN ANY
18 MANNER].

19 * Sec. 3. AS 11.41.140 is amended to read:

20 **Sec. 11.41.140. Definitions [DEFINITION].** In AS 11.41.100 - 11.41.140,

21 (1) "ingestion" means voluntarily or involuntarily taking a
22 substance into the body in any manner;

23 (2) "person" means, when referring to the victim of a crime,

1 [MEANS] a human being who has been born and was alive at the time of the criminal
2 act; a [. A] person is "alive" if there is spontaneous respiratory or cardiac function or,
3 when respiratory and cardiac functions are maintained by artificial means, there is
4 spontaneous brain function."
5

6 Renumber the following bill sections accordingly.
7

8 Page 7, line 6:

9 Delete all material.
10

11 Renumber the following bill sections accordingly.
12

13 Page 7, lines 9 - 14:

14 Delete all material and insert:

15 "APPLICABILITY. AS 11.41.110(a), as amended by sec. 1 of this Act,
16 AS 11.41.120(a), as amended by sec. 2 of this Act, AS 11.41.140, as amended by sec. 3 of
17 this Act, AS 11.71.010(a), as amended by sec. 4 of this Act, AS 11.71.010(b), as amended by
18 sec. 5 of this Act, AS 11.71.030(a), as amended by sec. 6 of this Act, AS 11.71.040(a), as
19 amended by sec. 7 of this Act, and AS 12.55.125(c), as amended by sec. 8 of this Act, apply
20 to offenses committed on or after the effective date of this Act."