IN THE SENATE BY HOUSE JUDICIARY COMMITTEE

HOUSE CS FOR SENATE BILL NO. 174

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIRST LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act to provide for the application of certain criteria to be used in the determination of insanity in criminal matters; and providing for an effective date."

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

Section 1. In order for insanity to be a legal defense to the commission of a crime there must be:

(1) Such a perverted and deranged condition of the mental and moral faculties as to render a person incapable of distinguishing between right and wrong; or

(2) He must be unconscious and unaware of the nature of the act at the time he is committing it; or

(3) Where, though conscious of it and able to distinguish between right and wrong and know that the act is wrong, yet his will, or the governing power of his mind, has been otherwise than voluntarily, so completely destroyed that his actions are not subject to it, but are beyond his control.

Any court may include verbatim the above language in instructions given to the jury when instructions on the question of insanity are determined by the court to be necessary.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.