

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO. 311

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to those persons capable of
7 committing crimes."

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

9 * Section 1. AS 11.70 is amended by adding a new section to
10 read:

11 Sec. 11.70.040. PERSONS CAPABLE OF COMMITTING CRIME.

12 All persons are capable of committing crimes except those
13 belonging to the following classes:

14 (1) children under the age of 14 years, in the
15 absence of clear proof that at the time of committing the
16 act charged against them, they knew its wrongfulness;

17 (2) idiots;

18 (3) lunatics and insane persons;

19 (4) persons who committed the act or made the
20 omission charged under an ignorance of or mistake of fact,
21 which disproves any criminal intent;

22 (5) persons who committed the act charged without
23 being conscious thereof;

24 (6) persons who committed the act or made the
25 omission charged through misfortune or by accident, when it
26 appears that there was no evil design, intention, or culpable
27 negligence;

28 (7) married women, except for felonies, acting
29 under the threats, command, or coercion of their husbands; or

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(8) persons, unless the crime is punishable by life imprisonment, who committed the act or made the omission charged under threats or menaces sufficient to show that they had reasonable cause to and did believe their lives would be endangered if they refused.