

Introduced: 5/10/72
Referred: Judiciary

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 825

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the crime of rape."

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

8 * Section 1. AS 11.15 is amended by adding a new section to read:

9 Sec. 11.15.125. RAPE BY FORCE OR IMPOSITION. (a) A person
10 who has sexual intercourse with another person, or who causes another
11 person to engage in sexual intercourse, is guilty of rape by force if

12 (1) he compels the other person to participate by force
13 or by threat of imminent death, serious bodily harm, extreme pain
14 or kidnapping, to be inflicted on anyone; or

15 (2) he has substantially impaired the other person's
16 power to appraise or control his conduct by administering or employ-
17 ing without the knowledge of the other person a drug, intoxicant or
18 other means for the purpose of preventing resistance; or

19 (3) the other person is unconscious; or

20 (4) the other person is less than 16 years old.

21 (b) A person convicted of rape by force is punishable by
22 imprisonment in the penitentiary for not more than 20 years.

23 (c) A person who engages in sexual intercourse with another
24 person, or who causes another to engage in sexual intercourse, is
25 guilty of rape by imposition if

26 (1) he compels the other person to participate by a threat
27 less than those under (a)(1) of this section, but of sufficient
28 consequence reasonably calculated to prevent resistance; or

29 (2) he knows or reasonably should know that the other

1 person suffers from a mental disease or defect which renders him
2 incapable of appraising the nature of his conduct; or

3 (3) he knows or reasonably should know that the other
4 person submits because he is unaware that a sexual act is being
5 committed upon him.

6 (d) A person convicted of rape by imposition is punishable
7 by imprisonment in the penitentiary for not more than 10 years.

8 (e) For the purpose of this section, "sexual intercourse"
9 includes sexual intercourse by means of the mouth or rectum, with
10 some penetration, however slight, and any formal sexual intercourse
11 with an animal; emission is not required.

12 * Sec. 2. AS 11.15.120 and AS 11.15.130 are repealed.
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