

Introduced: 2/5/74
Referred: Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 338

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the crime of conspiracy; and
7 providing for an effective date."

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

9 * Section 1. AS 11.10 is amended by adding new sections to read:

10 Sec. 11.10.080. CRIMINAL CONSPIRACY. It is unlawful for two
11 or more persons to agree to

12 (1) commit a crime; or

13 (2) assist in the commission of a crime.

14 Sec. 11.10.085. OVERT ACT REQUIRED. No agreement amounts to
15 a criminal conspiracy under sec. 80 of this chapter, unless some act, in
16 addition to the agreement, is done in this state to effect the object of
17 it, by one or more of the parties to the agreement.

18 Sec. 11.10.090. PENALTIES. A person who violates a provision
19 of sec. 80 of this chapter, is guilty of criminal conspiracy and if the
20 criminal conspiracy is to commit a felony, each conspirator is
21 punishable in the same manner and to the same extent as is provided for
22 the punishment of the felony. If the felony is one for which different
23 punishments are prescribed for different degrees, the jury or court
24 which finds the defendant guilty of conspiracy, shall determine the
25 degree of the felony the defendant conspired to commit. If the degree
26 is not determined by the jury or the court, the punishment for conspiracy
27 to commit the felony is that punishment prescribed for the least degree
28 of the felony except in the case of conspiracy to commit murder, in
29 which case the punishment is that prescribed for murder in the first

1 degree. If the criminal conspiracy is to commit two or more felonies
2 which have different punishments and the commission of the felonies
3 constitutes but one offense of conspiracy, the penalty is that
4 prescribed for the felony which has the greater maximum term of
5 imprisonment. If the criminal conspiracy is to commit a misdemeanor,
6 each conspirator is guilty of a misdemeanor and is punishable by a fine
7 of not more than \$500 or by imprisonment for not more than one year,
8 or by both.

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