

Introduced: 3/20/75  
Referred: Judiciary

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 *SCS CS* HOUSE BILL NO. 318 *ams*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to forcible or imposed sexual acts  
7 other than rape."

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

9 \* Section 1. AS 11.40 is amended by adding a new section to read:

10 Sec. 11.40.125. DEVIATE SEXUAL INTERCOURSE BY FORCE OR IMPOSITION.

11 (a) A person who engages in deviate sexual intercourse with another  
12 person, or who causes another to engage in deviate sexual intercourse, is  
13 guilty of a felony and upon conviction is punishable by imprisonment for  
14 not less than one nor more than 10 years if:

15 (1) he compels the other person to participate by force or by  
16 threat of imminent death, serious bodily injury, extreme pain or kid-  
17 napping, to be inflicted on anyone;

18 (2) he has substantially impaired the other person's power to  
19 appraise or control his conduct, by administering or employing without  
20 the knowledge of the other person drugs, intoxicants or other means for  
21 the purpose of preventing resistance;

22 (3) the other person is unconscious; or

23 (4) the other person is less than 10 years old.

24 (b) A person who engages in deviate sexual intercourse with  
25 another person, or who causes another to engage in deviate sexual inter-  
26 course, is guilty of a felony and upon conviction is punishable by im-  
27 prisonment for not less than one nor more than three years if

28 (1) he compels the other person to participate by any threat  
29 that would prevent resistance by a person of ordinary resolution;

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1 (2) he knows that the other person suffers from a mental  
2 disease or defect which renders him incapable of appraising the nature of  
3 his conduct; or

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

6 (c) Deviate sexual intercourse means sexual intercourse by means  
7 of the mouth or rectum between human beings who are not husband and wife,  
8 and any form of sexual intercourse with an animal.  
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