

Introduced: 2/1/84  
Referred: Health, Education &  
Social Services and Judiciary

1 IN THE HOUSE

BY LACHER, PHILLIPS AND FLOOD

2

HOUSE BILL NO. 565

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to hearsay evidence in prosecutions  
7 for sexual abuse of a minor; and amending Rules 803  
8 and 804, Alaska Rules of Evidence."

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

10 \* Section 1. AS 12.45 is amended by adding a new section to read:

11 Sec. 12.45.049. HEARSAY EVIDENCE IN PROSECUTIONS FOR SEXUAL  
12 ABUSE OF A MINOR. In a prosecution for the crime of sexual abuse of a  
13 minor in any degree, hearsay evidence of a statement made by a child  
14 under the age of 10 describing an act of sexual contact with the child  
15 may be admitted into evidence if

16 (1) the court determines in a hearing outside the presence  
17 of the jury that the circumstances of the statement indicate its  
18 reliability; and

19 (2) the child

20 (A) testifies at the proceeding; or

21 (B) is unavailable as a witness and there is addi-  
22 tional evidence introduced to corroborate the statement.

23 \* Sec. 2. AS 12.45.049, added by this Act, has the effect of amending  
24 Rules 803 and 804, Alaska Rules of Evidence, by adding hearsay evidence of  
25 certain statements made by a certain victim of sexual abuse of a minor to  
26 the list of exceptions to the hearsay rule.