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Referred: Health, Education and  
Social Services and  
Judiciary

BY PETTYJOHN, STURGULEWSKI,  
HALFORD, FAIKS, P. FISCHER  
AND KELLY

1 IN THE SENATE

2 SENATE BILL NO. 74

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to sexual abuse of a minor."

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

8 \* Section 1. AS 11.41.440 is amended to read:

9 Sec. 11.41.440. SEXUAL ABUSE OF A MINOR. (a) A person commits  
10 the crime of sexual abuse of a minor in the first degree if, being 16  
11 years of age or older, that person [HE]

12 (1) [ENGAGES IN SEXUAL PENETRATION WITH A PERSON WHO IS  
13 UNDER 16 YEARS OF AGE BUT 13 YEARS OF AGE OR OLDER OR AIDS, INDUCES,  
14 CAUSES OR ENCOURAGES A PERSON UNDER 16 YEARS OF AGE BUT 13 YEARS OF  
15 AGE OR OLDER TO ENGAGE IN SEXUAL PENETRATION WITH ANOTHER PERSON;]

16 (2) engages in sexual contact with a person who is under 13  
17 years of age or aids, induces, causes or encourages a person under 13  
18 years of age to engage in sexual contact with another person; or

19 (3) aids, induces, causes or encourages a person who is  
20 under 16 years of age to engage in conduct described in AS 11.41.455-  
21 (a)(2) - (6).

22 (b) Sexual abuse of a minor in the first degree is a class B [C]  
23 felony.

24 \* Sec. 2. AS 11.41 is amended by adding a new section to read:

25 Sec. 11.41.442. SEXUAL ABUSE OF A MINOR IN THE SECOND DEGREE.

26 (a) A person commits the crime of sexual abuse of a minor in the  
27 second degree if, being 16 years of age or older, that person engages  
28 in sexual penetration with a person who is under 16 years of age but  
29 13 years of age or older or aids, induces, causes, or encourages a

1 person under 16 years of age but 13 years of age or older to engage in  
2 sexual penetration with another person.

3 (b) Sexual abuse of a minor in the second degree is a class C  
4 felony.