

Introduced: 5/12/84
Referred: Judiciary

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2

SENATE BILL NO. 553

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 profit resulting from the
7 commission of a crime; and providing for an effective
8 date."

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

10 * Section 1. AS 12.80 is amended by adding a new section to read:

11 Sec. 12.80.060. PROFIT RESULTING FROM THE COMMISSION OF A CRIME.

12 (a) A person contracting with an offender with respect to the
13 reenactment of the offender's crime by way of a movie, book, magazine
14 article, radio or television presentation, live entertainment of any
15 kind, or the expression of the offender's thoughts, feelings, opinions
16 or emotions regarding the crime, shall pay to the state any money that
17 would otherwise be owing to the offender.

18 (b) A claim by a victim arising out of an order of restitution
19 under AS 12.55.045, or a judgment in a civil action against an offend-
20 er for damages resulting from a crime is a superior claim for money
21 that would otherwise be paid to the state under (a) of this section.

22 (c) Notwithstanding other statutory limitations, a civil action
23 by a victim against an offender for damages resulting from the commis-
24 sion of the crime, must be commenced within 10 years of the date of
25 the crime, or the date of the discovery of the perpetrator of the
26 crime if the perpetrator is unknown on the date of the commission of
27 the crime.

28 (d) For the purposes of this section, if the offender has not
29 been convicted, proof of the commission of a crime must be established

1 by a preponderance of the evidence.

2 (e) In this section

3 (1) "offender" means a person who has committed a crime in
4 this state, whether or not the person has been convicted of the crime,
5 or that person's representative or assignee;

6 (2) "victim" means the victim of the offense or, if the
7 victim has died, is a minor, or is incapacitated, the term includes a
8 spouse, parent, child, brother, sister or legal guardian of the
9 victim.

10 * Sec. 2. AS 18.67.165 is repealed.

11 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
12 10.070(c).