

Offered: 4/23/85  
Referred: Finance

Original sponsor: Phillips

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE  
2 CS FOR HOUSE BILL NO. 67 (Judiciary)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to the admissibility of hearsay  
7 evidence of certain statements by children before  
8 grand juries; and amending Rule 6(r), Alaska Rules of  
9 Criminal Procedure."  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
11 \* Section 1. AS 12.40 is amended by adding a new section to read:  
12 Sec. 12.40.110. HEARSAY EVIDENCE IN PROSECUTIONS FOR SEXUAL  
13 OFFENSES. (a) In a prosecution for an offense under AS 11.41.410 -  
14 11.41.440 or 11.41.455, hearsay evidence of a statement, not otherwise  
15 admissible, made by a child under the age of 10 who is the victim of  
16 the offense describing the conduct establishing the offense may be  
17 admitted into evidence before the grand jury if  
18 (1) the circumstances of the statement indicate its relia-  
19 bility;  
20 (2) additional evidence is introduced to corroborate the  
21 statement; and  
22 (3) the child testifies at the grand jury proceeding or the  
23 child will be available to testify at trial.  
24 (b) In this section "statement" means an oral or written asser-  
25 tion or nonverbal conduct if the nonverbal conduct is intended as an  
26 assertion.  
27 \* Sec. 2. AS 12.40.110, added by sec. 1 of this Act, has the effect of  
28 amending Rule 6(r), Alaska Rules of Criminal Procedure, by changing the  
29 circumstances under which hearsay evidence may be introduced in grand jury

1 proceedings for certain sexual offenses.