

Offered: 3/14/88  
Referred: Finance

5-0977B

Original sponsors: Hudson, Ulmer,  
Larson, et al.

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE  
2 CS FOR HOUSE BILL NO. 229 (Judiciary)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL

6 For an Act entitled: "An Act amending the definition of murder in the  
7 first degree to include homicide by a pattern or  
8 practice of assault or torture of a child under the  
9 age of 16."

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

11 \* Section 1. AS 11.41.100(a) is amended to read:

12 (a) A person commits the crime of murder in the first degree if  
13 (1) [,] with intent to cause the death of another person,  
14 the person

15 (A) [(1)] causes the death of any person; or

16 (B) [(2)] compels or induces any person to commit  
17 suicide through duress or deception; or

18 (2) the person knowingly engages in a pattern or practice  
19 of assault or torture of a child under the age of 16 that results in  
20 the death of the child under circumstances manifesting extreme indif-  
21 ference to the value of human life; for purposes of this paragraph, a  
22 person "engages in a pattern or practice of assault or torture" if the  
23 person inflicts serious physical injury to the child in at least two  
24 separate instances.

25 \* Sec. 2. AS 11.41.115(a) is amended to read:

26 (a) In a prosecution under AS 11.41.100(a)(1)(A) [AS 11.41.-  
27 100(a)(1)] or 11.41.110(a)(1), it is a defense that the defendant  
28 acted in a heat of passion, before there had been a reasonable oppor-  
29 tunity for the passion to cool, when the heat of passion resulted from

1 **a serious provocation by the intended victim.**