

Introduced: 3/17/87
Referred: Judiciary

5-0705A

1 IN THE SENATE

BY BENNETT

2

SENATE BILL NO. 189

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to enhancement of a criminal sen-
7 tence."

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

9 * Section 1. AS 12.55 is amended by adding a new section to read:

10 Sec. 12.55.142. SENTENCE ENHANCEMENT FOR EXPLOITATION OF A
11 MINOR. (a) If a defendant is convicted of an offense and the trier
12 of fact finds beyond a reasonable doubt that in committing the offense
13 the defendant knowingly induced, caused, or permitted a person under
14 18 years of age to participate in the offense, the court may increase
15 the term of imprisonment imposed by an amount as great as 50 percent
16 of the maximum term of imprisonment for the offense.

17 (b) If the participation of the person under 18 years of age is
18 a necessary element of the offense charged, the sentence enhancement
19 allowed under (a) of this section does not apply.

20 (c) If a defendant is subject to this section and AS 12.55.155,
21 the court shall determine the enhancement under this section after
22 determining the appropriate sentence under AS 12.55.155.