

BY REP. FINKELSTEIN, Ulmer, Swackhammer, Grussendorf, Larson, Menard,  
Navarre

1 IN THE HOUSE

2

HOUSE BILL NO. 363

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to sexual offenses against chil-  
7 dren."

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

9 \* Section 1. AS 11.41.434(a) is amended to read:

10 (a) An offender commits the crime of sexual abuse of a minor in  
11 the first degree if

12 (1) being 16 years of age or older, the offender engages in  
13 sexual penetration with a person who is under 13 years of age or aids,  
14 induces, causes, or encourages a person who is under 13 years of age  
15 to engage in sexual penetration with another person;

16 (2) being 18 years of age or older, the offender engages in  
17 sexual penetration with a person who is under 18 years of age and who

18 (A) is entrusted to the offender's care by authority  
19 of law; or

20 (B) is the offender's son or daughter, including an  
21 illegitimate or adopted child, or a stepchild; [OR]

22 (3) being 18 years of age or older, the offender engages in  
23 sexual penetration with a person who is under 16 years of age, and the  
24 victim at the time of the offense is

25 (A) residing as a member of the social unit in the  
26 same household as the offender and the offender is in a position  
27 of authority over the victim; or

28 (B) temporarily entrusted to the offender's care; or

29 (4) being 18 years of age or older, the offender engages in

1 sexual penetration with a person who is 16 or 17 years of age, and at  
2 the time of the offense

3 (A) the victim attends a public or private school that  
4 is high school level or lower; and

5 (B) the offender is authorized by the school to work  
6 with the students in a paid or voluntary capacity as part of the  
7 curriculum or program of activities of the school.

8 \* Sec. 2. AS 11.41.436(a) is amended to read:

9 (a) An offender commits the crime of sexual abuse of a minor in  
10 the second degree if

11 (1) being 16 years of age or older, the offender engages in  
12 sexual penetration with a person who is 13, 14, or 15 years of age and  
13 at least three years younger than the offender, or aids, induces,  
14 causes or encourages a person who is 13, 14, or 15 years of age and at  
15 least three years younger than the offender to engage in sexual pene-  
16 tration with another person;

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

21 (3) being 18 years of age or older, the offender engages in  
22 sexual contact with a person who is under 18 years of age and who

23 (A) is entrusted to the offender's care by authority  
24 of law; or

25 (B) is the offender's son or daughter, including an  
26 illegitimate or adopted child, or a stepchild;

27 (4) being 16 years of age or older, the offender aids,  
28 induces, causes, or encourages a person who is under 16 years of age  
29 to engage in conduct described in AS 11.41.455(a)(2) - (6); [OR]

1           (5) being 18 years of age or older, the offender engages in  
2 sexual contact with a person who is under 16 years of age, and the  
3 victim at the time of the offense is

4           (A) residing as a member of the social unit in the  
5 same household as the offender and the offender is in a position  
6 of authority over the victim; or

7           (B) temporarily entrusted to the offender's care; or

8           (6) being 18 years of age or older, the offender engages in  
9 sexual contact with a person who is 16 or 17 years of age, and at the  
10 time of the offense

11           (A) the victim attends a public or private school that  
12 is high school level or lower; and

13           (B) the offender is authorized by the school to work  
14 with the students in a paid or voluntary capacity as part of the  
15 curriculum or program of activities of the school.