

BY REP. LEMAN, Furnace, Hanley, Sharp

1 IN THE HOUSE

2

HOUSE BILL NO. 371

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 is not an emancipated minor; in
5 this paragraph, "emancipated minor" means a minor whose disabil-
6 ities have been removed for general purposes under AS 09.55.590;
7 and

8 (B) the offender is authorized by the school or its
9 school district to work with the students in a paid or voluntary
10 capacity as part of the curriculum or program of activities of
11 the school or school district.

12 * Sec. 2. AS 14.20.030 is amended by adding a new subsection to read:

13 (b) The commissioner or the Professional Teaching Practices
14 Commission shall revoke for life the certificate of a person who has
15 been convicted of a crime under AS 11.41.434(a)(1), 11.41.434(a)(4) or
16 11.41.436(a)(1), if, at the time of the offense, the person was 18
17 years of age or older and the victim was a student at the school or in
18 the school district where the person was employed as a teacher or
19 administrator. In this subsection, "school" means a public or private
20 school that is high school level or lower, but does not include corre-
21 spondence study under AS 14.30.010(b)(10).

22 * Sec. 3. AS 14.20.030(b), as enacted by sec. 2 of this Act, does not
23 apply when the crime occurred before the effective date of this Act.