

**HOUSE BILL NO. 78**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**EIGHTEENTH LEGISLATURE - FIRST SESSION**

**BY REPRESENTATIVES MACLEAN, Toohey, Nicholla, Ulmer**

**SENATORS Kerttula, Little, Taylor**

**Introduced: 1/22/93**

**Referred: Health, Education & Social Services, Judiciary, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the testimony of children in certain criminal proceedings; and  
2 providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* Section 1. AS 12.45.046(a) is amended to read:

5 (a) In a criminal proceeding under AS 11.41 involving the prosecution of an  
6 offense committed against a child under the age of 16 [13], or witnessed by a child  
7 under the age of 16 [13], the court

8 (1) may appoint a guardian ad litem for the child;

9 (2) on its own motion or on the motion of the party presenting the  
10 witness or the guardian ad litem of the child, may order that the testimony of the child  
11 be taken by closed circuit television or through one-way mirrors if the court determines  
12 that the testimony by the child victim or witness under normal court procedures would  
13 result in the child's inability to effectively communicate.

14 \* Sec. 2. The amendment of AS 12.45.046(a) by sec. 1 of this Act is retroactive and

- 1 applies to criminal proceedings involving the prosecution of an offense committed before the  
2 effective date of this Act.
- 3 \* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).