

HOUSE CS FOR CS FOR SENATE BILL NO. 28(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 5/9/24

Referred: Rules

Sponsor(s): SENATORS CLAMAN, Kaufman

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to crime and criminal procedure; relating to sex trafficking; relating to**
2 **human trafficking; relating to prostitution; relating to generated obscene child sexual**
3 **abuse material; changing the term 'child pornography' to 'child sexual abuse material';**
4 **relating to the crime of violating a protective order; relating to workplace violence**
5 **protective orders; relating to victim confidentiality; establishing the process for vacating**
6 **judgments for certain convictions of prostitution; relating to the powers of district**
7 **judges and magistrates; relating to licensing of school bus drivers; establishing the**
8 **Council on Human and Sex Trafficking; relating to permanent fund dividends for**
9 **certain individuals whose convictions are vacated; amending Rules 4 and 65, Alaska**
10 **Rules of Civil Procedure, and Rule 9, Alaska Rules of Administration; and providing for**
11 **an effective date."**

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

1 * **Section 1.** AS 04.06.110 is amended to read:

2 **Sec. 04.06.110. Peace officer powers.** The director and the persons employed
3 for the administration and enforcement of this title may, with the concurrence of the
4 commissioner of public safety, exercise the powers of peace officers when those
5 powers are specifically granted by the board. Powers granted by the board under this
6 section may be exercised only when necessary for the enforcement of the criminally
7 punishable provisions of this title, regulations of the board, and other criminally
8 punishable laws and regulations, including investigation of violations of laws against
9 [PROSTITUTION AND] sex trafficking described in AS 11.41.340 - 11.41.357, laws
10 against prostitution described in AS 11.66.101 - 11.66.106, [AS 11.66.100 -
11 11.66.135] and laws against gambling, promoting gambling, and related offenses
12 described in AS 11.66.200 - 11.66.280. Unless authorized by a search warrant
13 described in AS 12.35, nothing in this section authorizes the use of metal keys,
14 magnetic card keys, or identification cards to access private clubs.

15 * **Sec. 2.** AS 09.25.400 is amended to read:

16 **Sec. 09.25.400. Privilege relating to domestic violence, sex trafficking, and**
17 **sexual assault counseling.** Confidential communications between a victim of
18 domestic violence, sex trafficking, or sexual assault and a victim counselor are
19 privileged under AS 18.66.200 - 18.66.250.

20 * **Sec. 3.** AS 11.31.120(h)(2) is amended to read:

21 (2) "serious felony offense" means an offense

22 (A) against the person under AS 11.41, punishable as an
23 unclassified or class A felony;

24 (B) involving controlled substances under AS 11.71,
25 punishable as an unclassified, class A, or class B felony;

26 (C) that is criminal mischief in the first degree under
27 AS 11.46.475;

28 (D) that is terroristic threatening in the first degree under
29 AS 11.56.807;

30 (E) that is human trafficking in the first degree under
31 AS 11.41.360;

1 (F) that is sex trafficking in the first degree under **AS 11.41.340**
 2 [AS 11.66.110]; or

3 (G) that is arson in the first degree under AS 11.46.400 or arson
 4 in the second degree under AS 11.46.410.

5 * **Sec. 4.** AS 11.41 is amended by adding new sections to read:

6 **Sec. 11.41.340. Sex trafficking in the first degree.** (a) A person commits the
 7 crime of sex trafficking in the first degree if the person

8 (1) as other than a patron of a victim of sex trafficking, induces or
 9 causes another person to engage in a commercial sexual act through the use of force or
 10 threat of force against any person; or

11 (2) violates AS 11.41.345 and the person induced or caused to engage
 12 in the commercial sexual act is

13 (A) under 21 years of age; or

14 (B) in that person's legal custody.

15 (b) Sex trafficking in the first degree is an unclassified felony.

16 **Sec. 11.41.345. Sex trafficking in the second degree.** (a) A person commits
 17 the crime of sex trafficking in the second degree if, as other than a patron of a victim
 18 of sex trafficking under AS 11.41.355 or a patron of a prostitute under AS 11.66.104
 19 or 11.66.106, the person intentionally induces or causes another person to engage in a
 20 commercial sexual act.

21 (b) Sex trafficking in the second degree is a class A felony.

22 **Sec. 11.41.350. Sex trafficking in the third degree.** (a) A person commits the
 23 crime of sex trafficking in the third degree if, as other than a patron of a victim of sex
 24 trafficking, the person provides services, resources, or other assistance in furtherance
 25 of a violation of AS 11.41.340 or 11.41.345.

26 (b) Sex trafficking in the third degree is a

27 (1) class B felony if the value of the services, resources, or other
 28 assistance provided is \$200 or more; or

29 (2) class C felony if the value of the services, resources, or other
 30 assistance provided is less than \$200.

31 **Sec. 11.41.355. Patron of a victim of sex trafficking.** (a) A person commits

1 the crime of patron of a victim of sex trafficking if the person solicits a commercial
2 sexual act

3 (1) with reckless disregard that the person engaging in the sexual act is
4 a victim of sex trafficking; or

5 (2) from a person who is under 18 years of age.

6 (b) In a prosecution under (a)(2) of this section, it is an affirmative defense
7 that, at the time of the alleged offense, the defendant

8 (1) reasonably believed the person to be 18 years of age or older; and

9 (2) undertook reasonable measures to verify that the person was 18
10 years of age or older.

11 (c) Patron of a victim of sex trafficking is a

12 (1) class B felony if the person violates (a)(2) of this section;

13 (2) class C felony if the person violates (a)(1) of this section.

14 **Sec. 11.41.357. Inducing or causing a person to engage in a commercial**
15 **sexual act.** For purposes of AS 11.41.340 - 11.41.355, a person induces or causes
16 another person to engage in a commercial sexual act including by

17 (1) exposing or threatening to expose confidential information or a
18 secret, whether true or false, that would subject a person to hatred, contempt, or
19 ridicule;

20 (2) destroying, concealing, or threatening to destroy or conceal an
21 actual or purported passport or immigration document or another actual or purported
22 identification document of any person;

23 (3) threatening to report a person to a government agency for the
24 purpose of arrest or deportation;

25 (4) threatening to collect a debt;

26 (5) instilling in a person a fear that lodging, food, clothing, or
27 medication will be withheld from any person;

28 (6) providing a controlled substance to or withholding a controlled
29 substance from the other person; or

30 (7) engaging in deception.

31 * **Sec. 5.** AS 11.41.360(a) is amended to read:

1 (a) A person commits the crime of human trafficking in the first degree if,
2 **under circumstances not proscribed under AS 11.41.340 - 11.41.357**, the person

3 **(1) [COMPELS OR] induces or causes** another person to engage in
4 [SEXUAL CONDUCT,] adult entertainment [,] or labor [IN THE STATE] by force or
5 threat of force against any person; **or**

6 **(2) violates AS 11.41.365 and the victim is under 21 years of age** [,
7 OR BY DECEPTION].

8 * Sec. 6. AS 11.41.360(c) is amended to read:

9 (c) Human trafficking in the first degree is **an unclassified** [A CLASS A]
10 felony.

11 * Sec. 7. AS 11.41.365 is amended to read:

12 **Sec. 11.41.365. Human trafficking in the second degree.** (a) A person
13 commits the crime of human trafficking in the second degree if, **under circumstances**
14 **not proscribed under AS 11.41.340 - 11.41.357**, the person **intentionally induces or**
15 **causes another person to engage in adult entertainment or labor by**

16 **(1) exposing or threatening to expose confidential information or a**
17 **secret, whether true or false, tending to subject a person to hatred, contempt, or**
18 **ridicule;**

19 **(2) destroying, concealing, or threatening to destroy or conceal an**
20 **actual or purported passport or immigration document or another actual or**
21 **purported identification document of any person;**

22 **(3) threatening to report a person to a government agency for the**
23 **purpose of arrest or deportation;**

24 **(4) threatening to collect a debt;**

25 **(5) instilling in a person a fear that lodging, food, clothing, or**
26 **medication will be withheld from any person;**

27 **(6) providing a controlled substance to or withholding a controlled**
28 **substance from the other person; or**

29 **(7) engaging in deception** [OBTAINS A BENEFIT FROM THE
30 COMMISSION OF HUMAN TRAFFICKING UNDER AS 11.41.360, WITH
31 RECKLESS DISREGARD THAT THE BENEFIT IS A RESULT OF THE

1 TRAFFICKING].

2 (b) Human trafficking in the second degree is a class A [B] felony.

3 * **Sec. 8.** AS 11.41 is amended by adding new sections to read:

4 **Sec. 11.41.366. Human trafficking in the third degree.** (a) A person
5 commits the crime of human trafficking in the third degree if the person provides
6 services, resources, or other assistance with the intent to promote a violation of
7 AS 11.41.360 or 11.41.365.

8 (b) Human trafficking in the third degree is a

9 (1) class B felony if the value of the services, resources, or other
10 assistance provided is \$200 or more;

11 (2) class C felony if the value of the services, resources, or other
12 assistance provided is less than \$200.

13 **Sec. 11.41.367. Applicability of AS 11.41.360 - 11.41.366.** AS 11.41.360 -
14 11.41.366 do not apply to acts that may reasonably be construed to be a normal
15 caretaker request of a child or a normal interaction with a child.

16 **Sec. 11.41.369. Forfeiture.** (a) Property used to institute, aid, or facilitate, or
17 received or derived from, a violation of AS 11.41.340 - 11.41.366, including real
18 property, may be forfeited at sentencing.

19 (b) The legislature may appropriate funds received from the sale of property
20 forfeited under (a) of this section for an offense under AS 11.41.340 - 11.41.357 to
21 programs that provide resources to victims of sex trafficking.

22 * **Sec. 9.** AS 11.41.530(a) is amended to read:

23 (a) A person commits the crime of coercion if, under circumstances not
24 proscribed under AS 11.41.340 - 11.41.366 or 11.41.410 - 11.41.427 [AS 11.41.410 -
25 11.41.427], the person compels another to engage in conduct from which there is a
26 legal right to abstain or abstain from conduct in which there is a legal right to engage,
27 by means of instilling in the person who is compelled a fear that, if the demand is not
28 complied with, the person who makes the demand or another may

29 (1) inflict physical injury on anyone, except under circumstances
30 constituting robbery in any degree, or commit any other crime;

31 (2) accuse anyone of a crime;

1 (3) expose confidential information or a secret, whether true or false,
2 tending to subject a person to hatred, contempt, or ridicule or to impair the person's
3 credit or business repute;

4 (4) take or withhold action as a public servant or cause a public servant
5 to take or withhold action;

6 (5) bring about or continue a strike, boycott, or other collective
7 unofficial action, if the property is not demanded or received for the benefit of the
8 group in whose interest the person making the threat or suggestion purports to act;

9 (6) testify or provide information or withhold testimony or information
10 with respect to a person's legal claim or defense.

11 * **Sec. 10.** AS 11.56.740(a) is amended to read:

12 (a) A person commits the crime of violating a protective order if the person is
13 subject to a protective order

14 (1) issued, filed, or recognized under AS 18.66 and containing a
15 provision listed in AS 18.66.100(c)(1) - (7) and knowingly commits or attempts to
16 commit an act with reckless disregard that the act violates or would violate a provision
17 of the protective order;

18 (2) issued or recognized under AS 18.65.850, 18.65.855, 18.65.860, or
19 18.65.867 and knowingly commits or attempts to commit an act that violates or would
20 violate a provision listed in AS 18.65.850(c)(1) - (3); [OR]

21 (3) issued under AS 13.26.450 - 13.26.460 and knowingly commits or
22 attempts to commit an act with reckless disregard that the act violates or would violate
23 a provision of the protective order; or

24 **(4) issued under AS 18.65.875 - 18.65.899 and knowingly commits**
25 **or attempts to commit an act that violates or would violate a provision listed in**
26 **AS 18.65.875(c).**

27 * **Sec. 11.** AS 11.56.740(c) is amended to read:

28 (c) In this section, "protective order" means an order issued, filed, or
29 recognized under AS 13.26.450 - 13.26.460, **AS 18.65.850 - 18.65.899** [AS 18.65.850
30 - 18.65.870], or AS 18.66.100 - 18.66.180.

31 * **Sec. 12.** AS 11.61.120(a) is amended to read:

1 (a) A person commits the crime of harassment in the second degree if, with
2 intent to harass or annoy another person, that person

3 (1) insults, taunts, or challenges another person in a manner likely to
4 provoke an immediate violent response;

5 (2) telephones another and fails to terminate the connection with intent
6 to impair the ability of that person to place or receive telephone calls;

7 (3) makes repeated telephone calls at extremely inconvenient hours;

8 (4) makes an anonymous or obscene telephone call, an obscene
9 electronic communication, or a telephone call or electronic communication that
10 threatens physical injury or sexual contact;

11 (5) subjects another person to offensive physical contact;

12 (6) except as provided in AS 11.61.116, publishes or distributes
13 electronic or printed photographs, pictures, or films that show the genitals, anus, or
14 female breast of the other person or show that person engaged in a sexual act;

15 (7) repeatedly sends or publishes an electronic communication that
16 insults, taunts, challenges, or intimidates a person under 18 years of age in a manner
17 that places the person in reasonable fear of physical injury; or

18 (8) under circumstances not proscribed under AS 11.41.455,
19 AS 11.61.121, 11.61.125 [AS 11.61.125], or 11.61.128, repeatedly sends to another
20 person, publishes, or distributes electronic or printed photographs, pictures, or films
21 that show the genitals of any person.

22 * **Sec. 13.** AS 11.61 is amended by adding new sections to read:

23 **Sec. 11.61.121. Distribution of generated obscene child sexual abuse**
24 **material.** (a) A person commits the crime of distribution of generated obscene child
25 sexual abuse material if the person distributes in this state or advertises, promotes,
26 solicits, or offers to distribute in this state any material that is proscribed under
27 AS 11.61.122.

28 (b) The possession of 100 or more films, audio, video, electronic, or
29 electromagnetic recordings, photographs, negatives, slides, books, newspapers,
30 magazines, or other materials, including a combination of these items totaling 100 or
31 more, is prima facie evidence of distribution and intent to distribute under (a) of this

1 section.

2 (c) In this section, "distribution" includes the following, whether or not for
3 monetary or other consideration: delivering, selling, renting, leasing, lending, giving,
4 circulating, exhibiting, presenting, providing, exchanging, placing on a computer
5 network or computer system, and providing billing collection, or other ancillary
6 services for or otherwise supporting these activities.

7 (d) Distribution of generated obscene child sexual abuse material is a

8 (1) class B felony; or

9 (2) class A felony if the person has been previously convicted of
10 distribution of generated obscene child sexual abuse material in this jurisdiction or a
11 similar crime in this or another jurisdiction.

12 **Sec. 11.61.122. Possession of generated obscene child sexual abuse**
13 **material.** (a) A person commits the crime of possession of generated obscene child
14 sexual abuse material if the person knowingly possesses or knowingly accesses on a
15 computer with intent to view any material that

16 (1) the average person, applying contemporary community standards,
17 would find, when considered as a whole, appeals to the prurient interest;

18 (2) depicts, in a patently offensive way, a child under 18 years of age
19 who, by manipulation, creation, or modification, appears to be engaged in conduct
20 described in AS 11.41.455(a); and

21 (3) when considered as a whole, lacks serious literary, artistic,
22 political, or scientific value.

23 (b) This section does not apply to an employee of an interactive computer
24 service, Internet service provider, cloud service provider, or telecommunications
25 network who, while acting in the scope of employment, possesses or accesses the
26 material described in (a) of this section solely to prevent, detect, report, or otherwise
27 respond to the production, generation, manipulation, or modification of the material.
28 In this subsection, "interactive computer service" has the meaning given in
29 AS 11.61.127(b).

30 (c) In this section, "computer" has the meaning given in AS 11.46.990.

31 (d) Possession of generated obscene child sexual abuse material is a class C

1 felony.

2 * **Sec. 14.** AS 11.61.125(a) is amended to read:

3 (a) A person commits the crime of distribution of child **sexual abuse material**
4 [PORNOGRAPHY] if the person distributes in this state or advertises, promotes,
5 solicits, or offers to distribute in this state any material that is proscribed under
6 AS 11.61.127.

7 * **Sec. 15.** AS 11.61.125(e) is amended to read:

8 (e) Distribution of child **sexual abuse material** [PORNOGRAPHY] is a
9 (1) class B felony; or
10 (2) class A felony if the person has been previously convicted of
11 distribution of child **sexual abuse material** [PORNOGRAPHY] in this jurisdiction or
12 a similar crime in this or another jurisdiction.

13 * **Sec. 16.** AS 11.61.127(a) is amended to read:

14 (a) A person commits the crime of possession of child **sexual abuse material**
15 [PORNOGRAPHY] if the person knowingly possesses or knowingly accesses on a
16 computer with intent to view any material that visually depicts conduct described in
17 AS 11.41.455(a) knowing that the

18 **(1)** production of the material involved the use of a child under 18
19 years of age who engaged in the conduct; or

20 **(2) material depicts** [A DEPICTION OF] a part of an actual child
21 under 18 years of age, **or is a representation that is indistinguishable from an**
22 **identifiable child under 18 years of age,** who, by manipulation, creation, or
23 modification, appears to be engaged in the conduct.

24 * **Sec. 17.** AS 11.61.127(b) is amended to read:

25 (b) This section does not apply to

26 **(1)** persons providing plethysmograph assessments in the course of a
27 sex offender treatment program that meets the minimum standards under
28 AS 33.30.011(a)(5); **or**

29 **(2) an employee of an interactive computer service, Internet**
30 **service provider, cloud service provider, or telecommunications network who,**
31 **while acting in the scope of employment, possesses or accesses the material**

1 described in (a) of this section solely to prevent, detect, report, or otherwise
 2 respond to the production, generation, manipulation, or modification of the
 3 material; in this paragraph, "interactive computer service" means an
 4 information service, system, or access software provider that provides or enables
 5 computer access by multiple users to a computer server, including specifically a
 6 service or system that provides access to the Internet and those systems operated
 7 or services offered by libraries or educational institutions.

8 * **Sec. 18.** AS 11.61.127(f) is amended to read:

9 (f) In this section,

10 (1) "computer" has the meaning given in AS 11.46.990;

11 (2) "identifiable child" means an individual who is recognizable as
 12 an actual child by the child's face, likeness, or other distinguishing
 13 characteristics, regardless of whether the individual depicted is no longer under
 14 18 years of age.

15 * **Sec. 19.** AS 11.61.127(g) is amended to read:

16 (g) Possession of child sexual abuse material [PORNOGRAPHY] is a class
 17 C felony.

18 * **Sec. 20.** AS 11.61.129(a) is amended to read:

19 (a) Property used to aid a violation of AS 11.61.121 - 11.61.128
 20 [AS 11.61.123 - 11.61.128] or to aid the solicitation of, attempt to commit, or
 21 conspiracy to commit a violation of AS 11.61.121 - 11.61.128 [AS 11.61.123 -
 22 11.61.128] may be forfeited to the state upon the conviction of the offender.

23 * **Sec. 21.** AS 11.66 is amended by adding new sections to read:

24 **Sec. 11.66.101. Prostitution in the first degree.** (a) A person commits the
 25 crime of prostitution in the first degree if the person manages, supervises, controls, or
 26 owns, either alone or in association with others, a prostitution enterprise or a place of
 27 prostitution.

28 (b) Prostitution in the first degree is a class B felony.

29 **Sec. 11.66.102. Prostitution in the second degree.** (a) A person commits the
 30 crime of prostitution in the second degree if the person engages in or agrees or offers
 31 to engage in sexual conduct in exchange for a fee.

1 (b) A person may not be prosecuted under this section if the

2 (1) person witnessed or was a victim of, and reported to law
3 enforcement in good faith, one or more of the following crimes:

- 4 (A) murder in the first degree under AS 11.41.100;
5 (B) murder in the second degree under AS 11.41.110;
6 (C) manslaughter under AS 11.41.120;
7 (D) criminally negligent homicide under AS 11.41.130;
8 (E) assault in the first degree under AS 11.41.200;
9 (F) assault in the second degree under AS 11.41.210;
10 (G) assault in the third degree under AS 11.41.220;
11 (H) assault in the fourth degree under AS 11.41.230;
12 (I) sex trafficking in the first degree under AS 11.41.340;
13 (J) sex trafficking in the second degree under AS 11.41.345;
14 (K) sex trafficking in the third degree under AS 11.41.350;
15 (L) patron of a victim of sex trafficking under AS 11.41.355;
16 (M) sexual assault in the first degree under AS 11.41.410;
17 (N) sexual assault in the second degree under AS 11.41.420;
18 (O) sexual assault in the third degree under AS 11.41.425;
19 (P) sexual assault in the fourth degree under AS 11.41.427;
20 (Q) sexual abuse of a minor in the first degree under
21 AS 11.41.434;
22 (R) sexual abuse of a minor in the second degree under
23 AS 11.41.436;
24 (S) sexual abuse of a minor in the third degree under
25 AS 11.41.438;
26 (T) sexual abuse of a minor in the fourth degree under
27 AS 11.41.440;
28 (U) robbery in the first degree under AS 11.41.500;
29 (V) robbery in the second degree under AS 11.41.510;
30 (W) extortion under AS 11.41.520;
31 (X) coercion under AS 11.41.530;

1 (Y) distribution of generated obscene child sexual abuse
2 material under AS 11.61.121;

3 (Z) possession of generated obscene child sexual abuse
4 material under AS 11.61.122;

5 (AA) distribution of child sexual abuse material under
6 AS 11.61.125; or

7 (BB) possession of child sexual abuse material under
8 AS 11.61.127;

9 (2) evidence supporting the prosecution under (a) of this section was
10 obtained or discovered as a result of the person reporting the crime to law
11 enforcement; and

12 (3) person cooperated with law enforcement personnel.

13 (c) Prostitution in the second degree is a class B misdemeanor.

14 **Sec. 11.66.104. Patron of a prostitute in the first degree.** (a) A person
15 commits the crime of patron of a prostitute in the first degree if the person violates
16 AS 11.66.106 and, within the preceding five years, the person has been previously
17 convicted on two or more separate occasions in this or another jurisdiction of an
18 offense under AS 11.66.106 or an offense under another law or ordinance in this or
19 another jurisdiction with similar elements.

20 (b) Patron of a prostitute in the first degree is a class C felony.

21 **Sec. 11.66.106. Patron of a prostitute in the second degree.** (a) A person
22 commits the crime of patron of a prostitute in the second degree if the person offers a
23 fee in exchange for sexual conduct.

24 (b) Patron of a prostitute in the second degree is a class A misdemeanor.

25 * **Sec. 22.** AS 11.66.145 is amended to read:

26 **Sec. 11.66.145. Forfeiture.** Property used to institute, aid, or facilitate, or
27 received or derived from, a violation of AS 11.66.101 - 11.66.106 [AS 11.66.100(e)
28 OR 11.66.110 - 11.66.135] may be forfeited at sentencing.

29 * **Sec. 23.** AS 11.66.150 is amended to read:

30 **Sec. 11.66.150. Definitions.** In AS 11.66.101 - 11.66.150 [AS 11.66.100 -
31 11.66.150], unless the context requires otherwise,

1 (1) "compensation" does not include any payment for reasonably
2 apportioned shared expenses;

3 (2) "place of prostitution" means any place where a person, **other than**
4 **a proprietor of the place,** engages in sexual conduct in return for a fee;

5 (3) "prostitution enterprise" means an arrangement in which two or
6 more persons are organized to render sexual conduct in return for a fee;

7 (4) "sexual conduct" means genital or anal intercourse, cunnilingus,
8 fellatio, or masturbation of one person by another person.

9 * **Sec. 24.** AS 11.66.150 is amended by adding a new paragraph to read:

10 (5) "fee" does not include payment for reasonably apportioned shared
11 expenses of a residence.

12 * **Sec. 25.** AS 11.81.250(a) is amended to read:

13 (a) For purposes of sentencing under AS 12.55, all offenses defined in this
14 title, except murder in the first and second degree, attempted murder in the first
15 degree, solicitation to commit murder in the first degree, conspiracy to commit murder
16 in the first degree, murder of an unborn child, **human trafficking in the first degree,**
17 sexual assault in the first degree, sexual abuse of a minor in the first degree,
18 misconduct involving a controlled substance in the first degree, sex trafficking in the
19 first degree [UNDER AS 11.66.110(a)(2)], and kidnapping, are classified on the basis
20 of their seriousness, according to the type of injury characteristically caused or risked
21 by commission of the offense and the culpability of the offender. Except for murder in
22 the first and second degree, attempted murder in the first degree, solicitation to
23 commit murder in the first degree, conspiracy to commit murder in the first degree,
24 murder of an unborn child, **human trafficking in the first degree,** sexual assault in
25 the first degree, sexual abuse of a minor in the first degree, misconduct involving a
26 controlled substance in the first degree, sex trafficking in the first degree [UNDER
27 AS 11.66.110(a)(2)], and kidnapping, the offenses in this title are classified into the
28 following categories:

29 (1) class A felonies, which characteristically involve conduct resulting
30 in serious physical injury or a substantial risk of serious physical injury to a person;

31 (2) class B felonies, which characteristically involve conduct resulting

1 in less severe violence against a person than class A felonies, aggravated offenses
2 against property interests, or aggravated offenses against public administration or
3 order;

4 (3) class C felonies, which characteristically involve conduct serious
5 enough to deserve felony classification but not serious enough to be classified as A or
6 B felonies;

7 (4) class A misdemeanors, which characteristically involve less severe
8 violence against a person, less serious offenses against property interests, less serious
9 offenses against public administration or order, or less serious offenses against public
10 health and decency than felonies;

11 (5) class B misdemeanors, which characteristically involve a minor
12 risk of physical injury to a person, minor offenses against property interests, minor
13 offenses against public administration or order, or minor offenses against public health
14 and decency;

15 (6) violations, which characteristically involve conduct inappropriate
16 to an orderly society but which do not denote criminality in their commission.

17 * **Sec. 26.** AS 11.81.250(b) is amended to read:

18 (b) The classification of each felony defined in this title, except murder in the
19 first and second degree, attempted murder in the first degree, solicitation to commit
20 murder in the first degree, conspiracy to commit murder in the first degree, murder of
21 an unborn child, **human trafficking in the first degree**, sexual assault in the first
22 degree, sexual abuse of a minor in the first degree, misconduct involving a controlled
23 substance in the first degree, sex trafficking in the first degree [UNDER
24 AS 11.66.110(a)(2)], and kidnapping, is designated in the section defining it. A felony
25 under the law of this state defined outside this title for which no penalty is specifically
26 provided is a class C felony.

27 * **Sec. 27.** AS 11.81.900(b) is amended by adding new paragraphs to read:

28 (69) "adult entertainment" means an activity in which one or more
29 individuals are employed, contracted, or permitted to, wholly or in part, entertain
30 others by

31 (A) removing clothes or other items that clothe or hide the

1 person's body;

2 (B) dancing or in any other manner exhibiting the individual's
3 body in a completely or almost completely unclothed state;

4 (C) participating in a simulated illegal, indecent, or lewd
5 exhibition, act, or practice, including simulated

6 (i) sexual penetration;

7 (ii) the lewd exhibition or touching of a person's
8 genitals, anus, or breast; or

9 (iii) bestiality;

10 (70) "commercial sexual act" means a sexual act for which anything of
11 value is given or received by any person;

12 (71) "services, resources, or other assistance" includes financial
13 support, business services, lodging, transportation, providing false identification
14 documents or other documentation, equipment, facilities, or any other service or
15 property, regardless of whether a person is compensated;

16 (72) "sexual act" means sexual penetration or sexual contact;

17 (73) "victim of sex trafficking" means a person who has been induced
18 or caused to engage in a commercial sexual act under AS 11.41.340 - 11.41.350.

19 * **Sec. 28.** AS 12.10.010 is amended to read:

20 **Sec. 12.10.010. General time limitations.** (a) Prosecution for the following
21 offenses may be commenced at any time:

22 (1) murder;

23 (2) attempt, solicitation, or conspiracy to commit murder or hindering
24 the prosecution of murder;

25 (3) felony sexual abuse of a minor;

26 (4) sexual assault that is an unclassified, class A, or class B felony or a
27 violation of AS 11.41.425(a)(2) - (4);

28 (5) a violation of AS 11.41.425, 11.41.427, 11.41.450 - 11.41.458,
29 [AS 11.66.110 - 11.66.130,] or former AS 11.41.430, when committed against a
30 person who, at the time of the offense, was under 18 years of age;

31 (6) kidnapping;

1 (7) **distribution of generated obscene child sexual abuse material in**
 2 **violation of AS 11.61.121 or** distribution of child **sexual abuse material**
 3 [PORNOGRAPHY] in violation of AS 11.61.125;

4 (8) sex trafficking in violation of **AS 11.41.340 or 11.41.345**
 5 [AS 11.66.110 - 11.66.130 THAT IS AN UNCLASSIFIED, CLASS A, OR CLASS B
 6 FELONY OR THAT IS COMMITTED AGAINST A PERSON WHO, AT THE
 7 TIME OF THE OFFENSE, WAS UNDER 20 YEARS OF AGE];

8 (9) human trafficking in violation of AS 11.41.360 or 11.41.365.

9 (b) Except as otherwise provided by law or in (a) of this section, a person may
 10 not be prosecuted, tried, or punished for an offense unless the indictment is found or
 11 the information or complaint is instituted not later than

12 (1) 10 years after the commission of a felony offense in violation of
 13 AS 11.41.120 - 11.41.330, **11.41.350, 11.41.366,** 11.41.425(a)(1), 11.41.425(a)(5),
 14 11.41.425(a)(6), or 11.41.450 - 11.41.458; or

15 (2) five years after the commission of any other offense.

16 * **Sec. 29.** AS 12.37.010 is amended to read:

17 **Sec. 12.37.010. Authorization to intercept communications.** The attorney
 18 general, or a person designated in writing or by law to act for the attorney general,
 19 may authorize, in writing, an ex parte application to a court of competent jurisdiction
 20 for an order authorizing the interception of a private communication if the interception
 21 may provide evidence of, or may assist in the apprehension of persons who have
 22 committed, are committing, or are planning to commit, the following offenses:

23 (1) murder in the first or second degree under AS 11.41.100 -
 24 11.41.110;

25 (2) kidnapping under AS 11.41.300;

26 (3) a class A or unclassified felony drug offense under AS 11.71;

27 (4) sex trafficking in the first or second degree under **AS 11.41.340 or**
 28 **11.41.345** [AS 11.66.110 AND 11.66.120]; or

29 (5) human trafficking [IN THE FIRST DEGREE] under AS 11.41.360
 30 **or 11.41.365.**

31 * **Sec. 30.** AS 12.45.049 is amended to read:

1 **Sec. 12.45.049. Privilege relating to domestic violence, sex trafficking, and**
 2 **sexual assault counseling.** Confidential communications between a victim of
 3 domestic violence, sex trafficking, or sexual assault and a victim counselor are
 4 privileged under AS 18.66.200 - 18.66.250.

5 * **Sec. 31.** AS 12.55.015 is amended by adding a new subsection to read:

6 (m) In addition to the penalties authorized by this section, if a defendant holds
 7 a business license and is convicted of an offense under AS 11.41.340 - 11.41.366, and
 8 the defendant used the business in furtherance of the offense, the court shall revoke the
 9 defendant's business license.

10 * **Sec. 32.** AS 12.55.035(b) is amended to read:

11 (b) Upon conviction of an offense, a defendant who is not an organization may
 12 be sentenced to pay, unless otherwise specified in the provision of law defining the
 13 offense, a fine of not more than

14 (1) \$500,000 for murder in the first or second degree, attempted
 15 murder in the first degree, murder of an unborn child, **human trafficking in the first**
 16 **degree**, sexual assault in the first degree under AS 11.41.410(a)(1)(A), (2), (3), or (4),
 17 sexual abuse of a minor in the first degree, kidnapping, sex trafficking in the first
 18 degree [UNDER AS 11.66.110(a)(2)], or misconduct involving a controlled substance
 19 in the first degree;

20 (2) \$250,000 for a class A felony;

21 (3) \$100,000 for a class B felony;

22 (4) \$50,000 for a class C felony;

23 (5) \$25,000 for a class A misdemeanor;

24 (6) \$2,000 for a class B misdemeanor;

25 (7) \$500 for a violation.

26 * **Sec. 33.** AS 12.55.078(f) is amended to read:

27 (f) The court may not suspend the imposition or entry of judgment and may
 28 not defer prosecution under this section of a person who

29 (1) is charged with a violation of AS 11.41.100 - 11.41.220, 11.41.260
 30 - 11.41.320, **11.41.340 - 11.41.370** [11.41.360 - 11.41.370], 11.41.410 - 11.41.530,
 31 AS 11.46.400, **AS 11.61.121, 11.61.122, 11.61.125 - 11.61.128** [AS 11.61.125 -

1 11.61.128], AS 11.66.101, or 11.66.104 [OR AS 11.66.110 - 11.66.135];

2 (2) uses a firearm in the commission of the offense for which the
3 person is charged;

4 (3) has previously been granted a suspension of judgment under this
5 section or a similar statute in another jurisdiction, unless the court enters written
6 findings that by clear and convincing evidence the person's prospects for rehabilitation
7 are high and suspending judgment under this section adequately protects the victim of
8 the offense, if any, and the community;

9 (4) is charged with a violation of AS 11.41.230, 11.41.250, or a felony
10 and the person has one or more prior convictions for a misdemeanor violation of
11 AS 11.41 or for a felony or for a violation of a law in this or another jurisdiction
12 having similar elements to an offense defined as a misdemeanor in AS 11.41 or as a
13 felony in this state; for the purposes of this paragraph, a person shall be considered to
14 have a prior conviction even if

15 (A) the charges were dismissed under this section;

16 (B) the conviction has been set aside under AS 12.55.085; or

17 (C) the charge or conviction was dismissed or set aside under
18 an equivalent provision of the laws of another jurisdiction; or

19 (5) is charged with a crime involving domestic violence, as defined in
20 AS 18.66.990.

21 * **Sec. 34.** AS 12.55.085(f) is amended to read:

22 (f) The court may not suspend the imposition of sentence of a person who

23 (1) is convicted of a violation of AS 11.41.100 - 11.41.220, 11.41.260
24 - 11.41.320, 11.41.340 - 11.41.370 [11.41.360 - 11.41.370], 11.41.410 - 11.41.530,
25 AS 11.46.400, AS 11.61.121, 11.61.122, 11.61.125 - 11.61.128 [AS 11.61.125 -
26 11.61.128], AS 11.66.101, or 11.66.104 [OR AS 11.66.110 - 11.66.135];

27 (2) uses a firearm in the commission of the offense for which the
28 person is convicted; or

29 (3) is convicted of a violation of AS 11.41.230 - 11.41.250 or a felony
30 and the person has one or more prior convictions for a misdemeanor violation of
31 AS 11.41 or for a felony or for a violation of a law in this or another jurisdiction

1 having similar elements to an offense defined as a misdemeanor in AS 11.41 or as a
 2 felony in this state; for the purposes of this paragraph, a person shall be considered to
 3 have a prior conviction even if that conviction has been set aside under (e) of this
 4 section or under the equivalent provision of the laws of another jurisdiction.

5 * **Sec. 35.** AS 12.55.100(e) is amended to read:

6 (e) In addition to other conditions imposed on the defendant, while on
 7 probation and as a condition of probation

8 (1) for a sex offense, as described in AS 12.63.100, the defendant

9 (A) shall be required to submit to regular periodic polygraph
 10 examinations;

11 (B) may be required to provide each electronic mail address,
 12 instant messaging address, and other Internet communication identifier that the
 13 defendant uses to the defendant's probation officer; the probation officer shall
 14 forward those addresses and identifiers to the Alaska state troopers and to the
 15 local law enforcement agency;

16 (2) if the defendant was convicted of a violation of AS 11.41.434 -
 17 11.41.455, **AS 11.61.121, 11.61.122, 11.61.125 - 11.61.128** [AS 11.61.125 -
 18 11.61.128], or a similar offense in another jurisdiction, the defendant may be required
 19 to refrain from

20 (A) using or creating an Internet site;

21 (B) communicating with children under 16 years of age;

22 (C) possessing or using a computer; or

23 (D) residing within 500 feet of school grounds; in this
 24 subparagraph, "school grounds" has the meaning given in AS 11.71.900.

25 * **Sec. 36.** AS 12.55.125(b) is amended to read:

26 (b) A defendant convicted of attempted murder in the first degree, solicitation
 27 to commit murder in the first degree, conspiracy to commit murder in the first degree,
 28 kidnapping, **human trafficking in the first degree**, or misconduct involving a
 29 controlled substance in the first degree shall be sentenced to a definite term of
 30 imprisonment of at least five years but not more than 99 years. A defendant convicted
 31 of murder in the second degree or murder of an unborn child under

1 AS 11.41.150(a)(2) - (4) shall be sentenced to a definite term of imprisonment of at
 2 least 15 years but not more than 99 years. A defendant convicted of murder in the
 3 second degree shall be sentenced to a definite term of imprisonment of at least 20
 4 years but not more than 99 years when the defendant is convicted of the murder of a
 5 child under 16 years of age and the court finds by clear and convincing evidence that
 6 the defendant (1) was a natural parent, a stepparent, an adoptive parent, a legal
 7 guardian, or a person occupying a position of authority in relation to the child; or (2)
 8 caused the death of the child by committing a crime against a person under
 9 AS 11.41.200 - 11.41.530. In this subsection, "legal guardian" and "position of
 10 authority" have the meanings given in AS 11.41.470.

11 * **Sec. 37.** AS 12.55.125(i) is amended to read:

12 (i) A defendant convicted of

13 (1) sexual assault in the first degree under AS 11.41.410(a)(1)(A), (2),
 14 (3), or (4), sexual abuse of a minor in the first degree, unlawful exploitation of a minor
 15 under AS 11.41.455(c)(2), or sex trafficking in the first degree [UNDER
 16 AS 11.66.110(a)(2)] may be sentenced to a definite term of imprisonment of not more
 17 than 99 years and shall be sentenced to a definite term within the following
 18 presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

19 (A) if the offense is a first felony conviction, the offense does
 20 not involve circumstances described in (B) of this paragraph, and the victim
 21 was

22 (i) less than 13 years of age, 25 to 35 years;

23 (ii) 13 years of age or older, 20 to 30 years;

24 (B) if the offense is a first felony conviction and the defendant
 25 possessed a firearm, used a dangerous instrument, or caused serious physical
 26 injury during the commission of the offense, 25 to 35 years;

27 (C) if the offense is a second felony conviction and does not
 28 involve circumstances described in (D) of this paragraph, 30 to 40 years;

29 (D) if the offense is a second felony conviction and the
 30 defendant has a prior conviction for a sexual felony, 35 to 45 years;

31 (E) if the offense is a third felony conviction and the defendant

1 is not subject to sentencing under (F) of this paragraph or (I) of this section, 40
2 to 60 years;

3 (F) if the offense is a third felony conviction, the defendant is
4 not subject to sentencing under (I) of this section, and the defendant has two
5 prior convictions for sexual felonies, 99 years;

6 (2) sexual assault in the first degree under AS 11.41.410(a)(1)(B), sex
7 trafficking in the second degree, unlawful exploitation of a minor under
8 AS 11.41.455(c)(1), enticement of a minor under AS 11.41.452(e), or attempt,
9 conspiracy, or solicitation to commit sexual assault in the first degree under
10 AS 11.41.410(a)(1)(A), (2), (3), or (4), sexual abuse of a minor in the first degree,
11 unlawful exploitation of a minor under AS 11.41.455(c)(2), or sex trafficking in the
12 first degree [UNDER AS 11.66.110(a)(2)] may be sentenced to a definite term of
13 imprisonment of not more than 99 years and shall be sentenced to a definite term
14 within the following presumptive ranges, subject to adjustment as provided in
15 AS 12.55.155 - 12.55.175:

16 (A) if the offense is a first felony conviction, the offense does
17 not involve circumstances described in (B) of this paragraph, and the victim
18 was

19 (i) under 13 years of age, 20 to 30 years;

20 (ii) 13 years of age or older, 15 to 30 years;

21 (B) if the offense is a first felony conviction and the defendant
22 possessed a firearm, used a dangerous instrument, or caused serious physical
23 injury during the commission of the offense, 25 to 35 years;

24 (C) if the offense is a second felony conviction and does not
25 involve circumstances described in (D) of this paragraph, 25 to 35 years;

26 (D) if the offense is a second felony conviction and the
27 defendant has a prior conviction for a sexual felony, 30 to 40 years;

28 (E) if the offense is a third felony conviction, the offense does
29 not involve circumstances described in (F) of this paragraph, and the defendant
30 is not subject to sentencing under (I) of this section, 35 to 50 years;

31 (F) if the offense is a third felony conviction, the defendant is

1 not subject to sentencing under (l) of this section, and the defendant has two
2 prior convictions for sexual felonies, 99 years;

3 (3) **sex trafficking in the third degree under AS 11.41.350(b)(1),**
4 **patron of a victim of sex trafficking under AS 11.41.355(c)(1),** sexual assault in the
5 second degree, sexual abuse of a minor in the second degree, enticement of a minor
6 under AS 11.41.452(d), indecent exposure in the first degree under
7 AS 11.41.458(b)(2), **distribution of generated obscene child sexual abuse material**
8 **under AS 11.61.121(d)(2), indecent viewing or production of a picture under**
9 **AS 11.61.123(g)(1),** distribution of child **sexual abuse material** [PORNOGRAPHY]
10 under AS 11.61.125(e)(2), or attempt, conspiracy, or solicitation to commit sexual
11 assault in the first degree under AS 11.41.410(a)(1)(B), **sex trafficking in the second**
12 **degree, unlawful exploitation of a minor under AS 11.41.455(c)(1), or enticement**
13 **of a minor under AS 11.41.452(e)** may be sentenced to a definite term of
14 imprisonment of not more than 99 years and shall be sentenced to a definite term
15 within the following presumptive ranges, subject to adjustment as provided in
16 AS 12.55.155 - 12.55.175:

17 (A) if the offense is a first felony conviction, five to 15 years;

18 (B) if the offense is a second felony conviction and does not
19 involve circumstances described in (C) of this paragraph, 10 to 25 years;

20 (C) if the offense is a second felony conviction and the
21 defendant has a prior conviction for a sexual felony, 15 to 30 years;

22 (D) if the offense is a third felony conviction and does not
23 involve circumstances described in (E) of this paragraph, 20 to 35 years;

24 (E) if the offense is a third felony conviction and the defendant
25 has two prior convictions for sexual felonies, 99 years;

26 (4) **sex trafficking in the third degree under AS 11.41.350(b)(2),**
27 **patron of a victim of sex trafficking under AS 11.41.355(c)(2),** sexual assault in the
28 third degree, sexual abuse of a minor in the third degree under AS 11.41.438(c),
29 incest, indecent exposure in the first degree under AS 11.41.458(b)(1), **distribution of**
30 **generated obscene child sexual abuse material under AS 11.61.121(d)(1),**
31 **possession of generated obscene child sexual abuse material,** indecent viewing or

1 production of a picture under **AS 11.61.123(g)(2)** [AS 11.61.123(f)(1) OR (2)],
 2 possession of child **sexual abuse material** [PORNOGRAPHY], distribution of child
 3 **sexual abuse material** [PORNOGRAPHY] under AS 11.61.125(e)(1), or attempt,
 4 conspiracy, or solicitation to commit **sex trafficking in the third degree under**
 5 **AS 11.41.350(b)(1), patron of a victim of sex trafficking under AS 11.41.355(c)(1),**
 6 sexual assault in the second degree, sexual abuse of a minor in the second degree,
 7 **indecent viewing or production of a picture under AS 11.61.123(g)(1),**
 8 **distribution of generated obscene child sexual abuse material,** [UNLAWFUL
 9 EXPLOITATION OF A MINOR,] or distribution of child **sexual abuse material**
 10 **under AS 11.61.125(e)(2)** [PORNOGRAPHY], may be sentenced to a definite term
 11 of imprisonment of not more than 99 years and shall be sentenced to a definite term
 12 within the following presumptive ranges, subject to adjustment as provided in
 13 AS 12.55.155 - 12.55.175:

14 (A) if the offense is a first felony conviction and does not
 15 involve the circumstances described in (B) or (C) of this paragraph, two to 12
 16 years;

17 (B) if the offense is a first felony conviction under
 18 **AS 11.61.121(d)(1) or 11.61.125(e)(1)** [AS 11.61.125(e)(1)] and does not
 19 involve circumstances described in (C) of this paragraph, four to 12 years;

20 (C) if the offense is a first felony conviction under
 21 **AS 11.61.121(d)(1) or 11.61.125(e)(1)** [AS 11.61.125(e)(1)], and the
 22 defendant hosted, created, or helped host or create a mechanism for multi-party
 23 sharing or distribution of **generated obscene child sexual abuse material or**
 24 child **sexual abuse material** [PORNOGRAPHY], or received a financial
 25 benefit or had a financial interest in a **generated obscene child sexual abuse**
 26 **material or** child **sexual abuse material** [PORNOGRAPHY] sharing or
 27 distribution mechanism, six to 14 years;

28 (D) if the offense is a second felony conviction and does not
 29 involve circumstances described in (E) of this paragraph, eight to 15 years;

30 (E) if the offense is a second felony conviction and the
 31 defendant has a prior conviction for a sexual felony, 12 to 20 years;

1 (F) if the offense is a third felony conviction and does not
2 involve circumstances described in (G) of this paragraph, 15 to 25 years;

3 (G) if the offense is a third felony conviction and the defendant
4 has two prior convictions for sexual felonies, 99 years.

5 * **Sec. 38.** AS 12.55.127(d) is amended to read:

6 (d) If the defendant is being sentenced for two or more crimes of **distribution**
7 **of generated obscene child sexual abuse material under AS 11.61.121, possession**
8 **of generated obscene child sexual abuse material under AS 11.61.122,** distribution
9 of child **sexual abuse material** [PORNOGRAPHY] under AS 11.61.125, possession
10 of child **sexual abuse material** [PORNOGRAPHY] under AS 11.61.127, or
11 distribution of indecent material to minors under AS 11.61.128, a consecutive term of
12 imprisonment shall be imposed for some additional term of imprisonment for each
13 additional crime or each additional attempt or solicitation to commit the offense.

14 * **Sec. 39.** AS 12.55.135 is amended by adding a new subsection to read:

15 (q) A defendant convicted under AS 11.66.106 shall be sentenced to a
16 minimum term of imprisonment of 72 hours if the defendant has been previously
17 convicted once in the previous five years in this or another jurisdiction of an offense
18 under AS 11.66.106 or an offense under another law or ordinance with similar
19 elements.

20 * **Sec. 40.** AS 12.55.185(10) is amended to read:

21 (10) "most serious felony" means

22 (A) arson in the first degree, [SEX TRAFFICKING IN THE
23 FIRST DEGREE UNDER AS 11.66.110(a)(2),] enticement of a minor under
24 AS 11.41.452(e), or any unclassified or class A felony prescribed under
25 AS 11.41; or

26 (B) an attempt, or conspiracy to commit, or criminal
27 solicitation under AS 11.31.110 of, an unclassified felony prescribed under
28 AS 11.41;

29 * **Sec. 41.** AS 12.55.185(16) is amended to read:

30 (16) "sexual felony" means sexual assault in the first degree, sexual
31 abuse of a minor in the first degree, sex trafficking in the first degree, **sex trafficking**

1 **in the second degree**, sexual assault in the second degree, sexual abuse of a minor in
 2 the second degree, **sex trafficking in the third degree, patron of a victim of sex**
 3 **trafficking**, sexual abuse of a minor in the third degree under AS 11.41.438(c),
 4 unlawful exploitation of a minor, **distribution of generated obscene child sexual**
 5 **abuse material, possession of generated obscene child sexual abuse material,**
 6 indecent viewing or production of a picture under **AS 11.61.123(g)(1) or (2)**
 7 [AS 11.61.123(f)(1) OR (2)], distribution of child **sexual abuse material**
 8 [PORNOGRAPHY], sexual assault in the third degree, incest, indecent exposure in
 9 the first degree, possession of child **sexual abuse material** [PORNOGRAPHY],
 10 enticement of a minor, and felony attempt, conspiracy, or solicitation to commit those
 11 crimes;

12 * **Sec. 42.** AS 12.61.125(a) is amended to read:

13 (a) The defendant accused of a **sex** [SEXUAL] offense, the defendant's
 14 counsel, or an investigator or other person acting on behalf of the defendant, may not

15 (1) notwithstanding AS 12.61.120, contact the victim of the offense or
 16 a witness to the offense if the victim or witness, or the parent or guardian of the victim
 17 or witness if the victim or witness is a minor, has informed the defendant or the
 18 defendant's counsel in writing or in person that the victim or witness does not wish to
 19 be contacted by the defense; a victim or witness who has not informed the defendant
 20 or the defendant's counsel in writing or in person that the victim does not wish to be
 21 contacted by the defense is entitled to rights as provided in AS 12.61.120;

22 (2) obtain a statement from the victim of the offense or a witness to the
 23 offense, unless,

24 (A) if the statement is taken as a recording, the recording is
 25 taken in compliance with AS 12.61.120, and written authorization is first
 26 obtained from the victim or witness, or from the parent or guardian of the
 27 victim or witness if the victim or witness is a minor; the written authorization
 28 must state that the victim or witness is aware that there is no legal requirement
 29 that the victim or witness talk to the defense; or

30 (B) if the statement is not taken as a recording, written
 31 authorization is first obtained from the victim or witness, or from the parent or

1 guardian of the victim or witness if the victim or witness is a minor; the written
 2 authorization must state that the victim or witness is aware that there is no
 3 legal requirement that the victim or witness talk to the defense; a victim or
 4 witness making a statement under this subparagraph remains entitled to rights
 5 as provided in AS 12.61.120.

6 * **Sec. 43.** AS 12.61.125(d) is amended by adding a new paragraph to read:

7 (3) "sex offense" has the meaning given in AS 12.63.100 and includes
 8 a crime, or an attempt, solicitation, or conspiracy to commit a crime under
 9 AS 11.41.440(a)(1).

10 * **Sec. 44.** AS 12.61.140 is amended to read:

11 **Sec. 12.61.140. Disclosure of victim's name.** (a) The portion of the records of
 12 a court or law enforcement agency that contains the name of the victim of an offense
 13 under AS 11.41.300(a)(1)(C) or a victim of a sex offense [11.41.410 - 11.41.460]

14 (1) shall be withheld from public inspection, except with the consent of
 15 the court in which the case is or would be prosecuted; and

16 (2) is not a public record under AS 40.25.110 - 40.25.125.

17 (b) In all written court records open to public inspection, the name of the
 18 victim of an offense under AS 11.41.300(a)(1)(C) or a victim of a sex offense
 19 [11.41.410 - 11.41.460] may not appear. Instead, the victim's initials shall be used.
 20 However, a sealed record containing the victim's name shall be kept by the court in
 21 order to ensure that a defendant is not charged twice for the same offense.

22 * **Sec. 45.** AS 12.61.140 is amended by adding a new subsection to read:

23 (c) In this section, "sex offense" has the meaning given in AS 12.63.100 and
 24 includes a crime, or an attempt, solicitation, or conspiracy to commit a crime, under
 25 AS 11.41.440(a)(1).

26 * **Sec. 46.** AS 12.62.900(23) is amended to read:

27 (23) "serious offense" means a conviction for a violation or for an
 28 attempt, solicitation, or conspiracy to commit a violation of any of the following laws,
 29 or of the laws of another jurisdiction with substantially similar elements:

30 (A) a felony offense;

31 (B) a crime involving domestic violence;

1 (C) AS 11.41.410 - 11.41.470;

2 (D) AS 11.51.130 or 11.51.200 - 11.56.210;

3 (E) AS 11.61.110(a)(7), 11.61.121, or 11.61.125;

4 (F) AS 11.66.101 [AS 11.66.100 - 11.66.130];

5 (G) former AS 11.15.120, former 11.15.134, or assault with the
6 intent to commit rape under former AS 11.15.160; or

7 (H) former AS 11.40.080, 11.40.110, 11.40.130, or 11.40.200 -
8 11.40.420, if committed before January 1, 1980.

9 * **Sec. 47.** AS 12.63.100(7) is amended to read:

10 (7) "sex offense" means

11 (A) a crime under AS 11.41.100(a)(3), or a similar law of
12 another jurisdiction, in which the person committed or attempted to commit a
13 sexual offense, or a similar offense under the laws of the other jurisdiction; in
14 this subparagraph, "sexual offense" has the meaning given in
15 AS 11.41.100(a)(3);

16 (B) a crime under AS 11.41.110(a)(3), or a similar law of
17 another jurisdiction, in which the person committed or attempted to commit
18 one of the following crimes, or a similar law of another jurisdiction:

19 (i) sexual assault in the first degree;

20 (ii) sexual assault in the second degree;

21 (iii) sexual abuse of a minor in the first degree; or

22 (iv) sexual abuse of a minor in the second degree;

23 (C) a crime, or an attempt, solicitation, or conspiracy to commit
24 a crime, under the following statutes or a similar law of another jurisdiction:

25 (i) AS 11.41.410 - 11.41.438;

26 (ii) AS 11.41.440(a)(2);

27 (iii) AS 11.41.450 - 11.41.458;

28 (iv) AS 11.41.460 or AS 26.05.900(c) if the indecent
29 exposure is before a person under 16 years of age and the offender has
30 previously been convicted under AS 11.41.460 or AS 26.05.900(c);

31 (v) AS 11.61.125 - 11.61.128;

1 (vi) **former** AS 11.66.110, **former** 11.66.130(a)(2)(B),
 2 or AS 26.05.900(b) if the person who was induced or caused to engage
 3 in prostitution was under 20 years of age at the time of the offense;

4 (vii) former AS 11.15.120, former 11.15.134, or assault
 5 with the intent to commit rape under former AS 11.15.160, former
 6 AS 11.40.110, or former 11.40.200;

7 (viii) AS 11.61.118(a)(2) if the offender has a previous
 8 conviction for that offense;

9 (ix) [AS 11.66.100(a)(2) IF THE OFFENDER IS
 10 SUBJECT TO PUNISHMENT UNDER AS 11.66.100(e);

11 (x) AS 26.05.890 if the person engaged in sexual
 12 penetration or sexual contact with the victim;

13 **(x)** [(xi)] AS 26.05.890 if, at the time of the offense, the
 14 victim is under a duty to obey the lawful orders of the offender,
 15 regardless of whether the offender is in the direct chain of command
 16 over the victim;

17 **(xi)** [(xii)] AS 26.05.893 if the person engaged in sexual
 18 penetration or sexual contact with the victim;

19 **(xii) AS 26.05.900(a)** [(xiii) AS 26.05.900(a)(1) - (4)] if
 20 the victim is under 18 years of age at the time of the offense;

21 **(xiii)** [(xiv)] AS 26.05.900 if, at the time of the offense,
 22 the victim is under a duty to obey the lawful orders of the offender,
 23 regardless of whether the offender is in the direct chain of command
 24 over the victim;

25 **(xiv)** [OR (xv)] AS 11.61.123 if the offender is subject
 26 to punishment under **AS 11.61.123(g)(1) or (2)** [AS 11.61.123(f)(1) or
 27 (2)]; **or**

28 **(xv) AS 11.41.340, 11.41.345, or 11.41.355; or**

29 (D) an offense, or an attempt, solicitation, or conspiracy to
 30 commit an offense, under AS 26.05.935(b), or a similar law of another
 31 jurisdiction, if the member of the militia commits one of the following

1 enumerated offenses punishable under Article 134, 10 U.S.C. 934 (Uniform
2 Code of Military Justice):

3 (i) child **sexual abuse material** [PORNOGRAPHY]; or

4 (ii) pandering and prostitution if the person who is
5 induced, enticed, caused, or procured to engage in a sexual act is under
6 **21** [20] years of age at the time of the offense; or

7 (E) an offense in which the person is required to register as a
8 sex offender under the laws of another jurisdiction;

9 * **Sec. 48.** AS 12.72 is amended by adding new sections to read:

10 **Sec. 12.72.100. Vacation of judgment of conviction for prostitution.** A
11 person may petition the court to vacate the judgment if, at the time of the offense, the
12 person was or would have been a victim of sex trafficking as defined in
13 AS 11.81.900(b) and was convicted or adjudicated delinquent for prostitution under
14 former AS 11.66.100 or under AS 11.66.102 or a similar municipal ordinance.

15 **Sec. 12.72.105. Filing of petition for vacation of judgment.** (a) A person
16 seeking a vacation of judgment under this chapter shall file a petition with the clerk at
17 the court location where the underlying criminal case was filed and serve a copy on
18 the prosecuting authority responsible for obtaining the conviction.

19 (b) If the prosecuting authority does not file a response within 45 days after
20 service of the petition, the court may grant the vacation of judgment without further
21 proceedings.

22 **Sec. 12.72.110. Limitations on petition for vacation of judgment.** (a) A
23 person may file a petition under this chapter only after a judgment has been entered on
24 the person's case or, if the conviction was appealed, after the court's decision on the
25 case is final under the Alaska Rules of Appellate Procedure.

26 (b) An action for a petition for vacation of judgment under AS 12.72.100 does
27 not give rise to the right to a trial by jury.

28 **Sec. 12.72.115. Presumption and burden of proof in vacation of judgment**
29 **proceedings.** (a) The person petitioning the court for a vacation of judgment of
30 conviction or adjudication of delinquency for prostitution under former AS 11.66.100
31 or under AS 11.66.102 or a similar municipal ordinance must prove all factual

1 assertions by a preponderance of the evidence.

2 (b) There is a rebuttable presumption that a person who was under 21 years of
3 age at the time of an offense under AS 11.66.102 was or would have been a victim of
4 sex trafficking.

5 **Sec. 12.72.120. Vacation of judgment.** (a) If the court grants the petition for a
6 vacation of judgment,

7 (1) the judgment of conviction or adjudication of delinquency for
8 prostitution under former AS 11.66.100 or under AS 11.66.102 or a similar municipal
9 ordinance shall be vacated;

10 (2) the Alaska Court System may not publish on a publicly available
11 Internet website the court records of the conviction for prostitution under former
12 AS 11.66.100 or under AS 11.66.102 or a similar municipal ordinance if the person
13 was not convicted of a felony charge in that case; and

14 (3) the Department of Public Safety may not release information
15 related to the conviction for prostitution under former AS 11.66.100 or under
16 AS 11.66.102 or a similar municipal ordinance in response to a request under
17 AS 12.62.160(b)(6), (8), or (9).

18 (b) The Alaska Court System shall remove a person's court records from a
19 publicly available Internet website under (a)(2) of this section within 30 days after the
20 court grants a petition for vacation of judgment.

21 * **Sec. 49.** AS 14.20.030(b) is amended to read:

22 (b) The commissioner or the Professional Teaching Practices Commission
23 shall revoke for life the certificate of a person who has been convicted of a crime, or
24 an attempt, solicitation, or conspiracy to commit a crime, involving a minor under
25 AS 11.41.410 - 11.41.460, AS 11.61.121, 11.61.122, 11.61.125 [AS 11.61.125], or
26 11.61.127, or a law or ordinance in another jurisdiction with elements similar to an
27 offense described in this subsection.

28 * **Sec. 50.** AS 15.80.010(10) is amended to read:

29 (10) "felony involving moral turpitude" includes those crimes that are
30 immoral or wrong in themselves such as murder, manslaughter, assault, sexual assault,
31 sexual abuse of a minor, unlawful exploitation of a minor, robbery, extortion,

1 coercion, kidnapping, incest, arson, burglary, theft, forgery, criminal possession of a
 2 forgery device, offering a false instrument for recording, scheme to defraud, falsifying
 3 business records, commercial bribe receiving, commercial bribery, bribery, receiving a
 4 bribe, perjury, perjury by inconsistent statements, endangering the welfare of a minor,
 5 escape, promoting contraband, interference with official proceedings, receiving a bribe
 6 by a witness or a juror, jury tampering, misconduct by a juror, tampering with physical
 7 evidence, hindering prosecution, terroristic threatening, riot, criminal possession of
 8 explosives, unlawful furnishing of explosives, sex trafficking, criminal mischief,
 9 misconduct involving a controlled substance or an imitation controlled substance,
 10 permitting an escape, promoting gambling, possession of gambling records,
 11 distribution of child **sexual abuse material** [PORNOGRAPHY], and possession of
 12 child **sexual abuse material** [PORNOGRAPHY];

13 * **Sec. 51.** AS 18.65.530(a) is amended to read:

14 (a) Except as provided in (b) or (c) of this section, a peace officer, with or
 15 without a warrant, shall arrest a person if the officer has probable cause to believe the
 16 person has, either in or outside the presence of the officer, within the previous 12
 17 hours,

18 (1) committed domestic violence, except an offense under
 19 AS 11.41.100 - 11.41.130, whether the crime is a felony or a misdemeanor;

20 (2) committed the crime of violating a protective order in violation of
 21 AS 11.56.740(a)(1), [OR] (2), or (4);

22 (3) violated a condition of release imposed under AS 12.30.016(e) or
 23 (f) or 12.30.027.

24 * **Sec. 52.** AS 18.65.540(a) is amended to read:

25 (a) The Department of Public Safety shall maintain a central registry of
 26 protective orders issued by or filed with a court of this state under AS 13.26.450 -
 27 13.26.460, **AS 18.65.850 - 18.65.899** [AS 18.65.850 - 18.65.870], or AS 18.66.100 -
 28 18.66.180. The registry must include, for each protective order, the names of the
 29 petitioner and respondent, their dates of birth, and the conditions and duration of the
 30 order. The registry shall retain a record of the protective order after it has expired.

31 * **Sec. 53.** AS 18.65.540(b) is amended to read:

1 (b) A peace officer receiving a protective order from a court under
 2 AS 13.26.450, 13.26.455, AS 18.65.850 - 18.65.855, 18.65.875, 18.65.877, or
 3 AS 18.66.100 - 18.66.180, a modified order issued under AS 13.26.460,
 4 AS 18.65.860, 18.65.880, or AS 18.66.120, or an order dismissing a protective order
 5 shall take reasonable steps to ensure that the order, modified order, or dismissal is
 6 entered into the central registry within 24 hours after being received.

7 * **Sec. 54.** AS 18.65 is amended by adding new sections to read:

8 **Article 12A. Workplace Violence Protective Orders.**

9 **Sec. 18.65.875. Protective orders; eligible petitioners; relief.** (a) An
 10 employer may file a petition in the district or superior court for a protective order
 11 against an individual who the employer reasonably believes

12 (1) committed an act of violence against the employer or an employee
 13 that occurred at the employer's workplace; or

14 (2) made a threat of violence against the employer or an employee that
 15 can reasonably be construed as a threat that may be carried out at the employer's
 16 workplace.

17 (b) When a petition for a protective order is filed, the court shall schedule a
 18 hearing and provide at least 10 days' notice to the respondent of the hearing and of the
 19 respondent's right to appear and be heard, either in person or through an attorney. If
 20 the court finds by a preponderance of evidence that the respondent has committed
 21 violence or made a threat of violence, regardless of whether the respondent appears at
 22 the hearing, the court may order any relief available under (c) of this section. The
 23 provisions of a protective order issued under this section are effective for six months
 24 unless earlier dissolved by the court.

25 (c) A protective order issued under this section may

26 (1) prohibit the respondent from making a threat to commit or
 27 committing violence;

28 (2) prohibit the respondent from telephoning, contacting, or otherwise
 29 communicating directly or indirectly with the petitioner;

30 (3) direct the respondent to stay away from the workplace of the
 31 petitioner, or any specified place frequented by the petitioner, during the normal

1 course of the petitioner's business; however, the court may order the respondent to stay
 2 away from the respondent's own workplace only if the respondent has been provided
 3 actual notice of the opportunity to appear and be heard on the petition;

4 (4) order other relief the court determines to be necessary to protect the
 5 workplace of the petitioner.

6 (d) If the court issues a protective order under this section, the court shall

7 (1) make reasonable efforts to ensure that the order is understood by
 8 the petitioner and the respondent; and

9 (2) have the order delivered to the appropriate local law enforcement
 10 agency for expedited service and entry into the central registry of protective orders
 11 under AS 18.65.540.

12 (e) A court may not deny a petition for a protective order solely because of a
 13 lapse of time between an act of violence or a threat of violence and the filing of the
 14 petition.

15 **Sec. 18.65.877. Ex parte protective orders for workplace violence.** An
 16 employer who may file a petition for a protective order against an individual under
 17 AS 18.65.875 may file a petition for an ex parte protective order against the
 18 individual. If the court finds that the petition establishes probable cause that recent
 19 violence has occurred or a recent threat of violence has been made, that it is necessary
 20 to protect the employer from further violence, and that the petitioner has certified to
 21 the court in writing the efforts, if any, that have been made to provide notice to the
 22 respondent, the court shall ex parte and without notice to the respondent issue a
 23 protective order. An ex parte protective order under this section may grant the
 24 protection allowed by AS 18.65.875(c). An ex parte protective order expires 20 days
 25 after it is issued unless dissolved earlier by the court at the request of either the
 26 petitioner or the respondent after notice and, if requested, a hearing. If the court issues
 27 an ex parte protective order, the court shall have the order delivered to the appropriate
 28 law enforcement agency for expedited service and entry into the central registry of
 29 protective orders under AS 18.65.540.

30 **Sec. 18.65.880. Modification of workplace violence protective order.** (a)

31 Either the petitioner or the respondent may request modification of a protective order

1 issued under AS 18.65.875 or 18.65.877. If a request is made for modification of

2 (1) a protective order after notice and hearing under AS 18.65.875, the
3 court shall schedule a hearing within 20 days after the date the request is made, except
4 that if the court finds that the request is meritless on its face, the court may deny the
5 request without further hearing; or

6 (2) an ex parte protective order under AS 18.65.877, the court shall
7 schedule a hearing on three days' notice or on shorter notice as the court may
8 prescribe.

9 (b) If a request for a modification is made under this section and the
10 respondent raises an issue not raised by the petitioner, the court may allow the
11 petitioner additional time to respond.

12 (c) If the court modifies a protective order under this section, the court shall
13 issue a modified order and shall

14 (1) make reasonable efforts to ensure that the order is understood by
15 the petitioner and the respondent; and

16 (2) have the order delivered to the appropriate local law enforcement
17 agency for expedited service and for entry into the central registry of protective orders
18 under AS 18.65.540.

19 **Sec. 18.65.885. Specific protective orders.** (a) If a respondent in a protective
20 order issued under AS 18.65.875 - 18.65.880 is prohibited from communicating with
21 the petitioner, excluded from the petitioner's workplace, or ordered to stay away from
22 the petitioner as provided in AS 18.65.875(c)(2) - (4), an invitation by the petitioner to
23 communicate, enter the petitioner's workplace, or have other prohibited contact with
24 the petitioner does not waive or nullify any provision in a protective order.

25 (b) A court may not order parties into mediation or refer them to mediation for
26 resolution of the issues arising from a petition for a protective order under
27 AS 18.65.875 - 18.65.899.

28 (c) In addition to other required information contained in a protective order,
29 the order must include in bold face type the following statements:

30 (1) "Violation of this order may be a misdemeanor, punishable by up
31 to one year of incarceration and up to a \$25,000 fine";

1 (2) "If you are ordered to have no contact with the petitioner or to stay
2 away from the petitioner's workplace or other place designated by the court, an
3 invitation by the petitioner to have the prohibited contact or to be present at or enter
4 the workplace or other place does not in any way invalidate or nullify the order."

5 (d) A protective order issued under AS 18.65.875 - 18.65.899 is in addition to
6 and not in place of any other civil or criminal remedy. A petitioner is not barred from
7 seeking an order under AS 18.65.875 - 18.65.899 because of the existence of another
8 civil action between the petitioner and the respondent.

9 **Sec. 18.65.890. Forms for petitions and orders; fees.** (a) The Alaska Court
10 System shall prepare forms for petitions, protective orders, and instructions for their
11 use by an employer seeking a protective order under AS 18.65.875 - 18.65.899. The
12 forms must conform to the Alaska Rules of Civil Procedure, except that information
13 on the forms may be filled in by legible handwriting.

14 (b) In addition to other information required, a petition for a protective order
15 must include a statement of pending civil or criminal actions involving the petitioner
16 or the respondent. While a protective order is in effect or a petition for a protective
17 order is pending, both the petitioner and the respondent have a continuing duty to
18 inform the court of pending civil or criminal actions involving the petitioner or the
19 respondent.

20 (c) The office of the clerk of each superior and district court shall make
21 available to the public the forms a person seeking a protective order under
22 AS 18.65.875 - 18.65.899 may need and instructions for the use of the forms. The
23 clerk shall provide assistance in completing the forms and filing the forms.

24 (d) Filing fees may not be charged in any action seeking only the relief
25 provided in AS 18.65.875 - 18.65.899.

26 **Sec. 18.65.895. Service of process.** (a) Unless, on the record in court, the
27 respondent has already been provided a copy of the court's order, process issued under
28 AS 18.65.875 - 18.65.899 shall be promptly served and executed. If process is to be
29 served on a respondent believed to be present or residing in a municipality, as defined
30 in AS 29.71.800, or in an unincorporated community, process shall be served by a
31 peace officer of that municipality or unincorporated community who has jurisdiction

1 within the area of service. If a peace officer of the municipality or unincorporated
 2 community who has jurisdiction is not available, a superior court, district court, or
 3 magistrate may designate any other peace officer to serve and execute process. A state
 4 peace officer shall serve process in any area that is not within the jurisdiction of a
 5 peace officer of a municipality or unincorporated community. A peace officer shall
 6 use every reasonable means to serve process issued under AS 18.65.875 - 18.65.899.
 7 A judge may not order a peace officer to serve a petition that has been denied by the
 8 court.

9 (b) Service of process under (a) of this section does not preclude a petitioner
 10 from using any other available means to serve process issued under AS 18.65.875 -
 11 18.65.899.

12 (c) Fees for service of process may not be charged in a proceeding seeking
 13 only the relief provided in AS 18.65.875 - 18.65.899.

14 **Sec. 18.65.897. Civil liability.** (a) A person may not bring a civil action for
 15 damages against the state, its officers, agents, or employees, or a law enforcement
 16 agency, its officers, agents, or employees for any failure to comply with the provisions
 17 of AS 18.65.875 - 18.65.899.

18 (b) A person may not bring a civil action for damages against an employer for
 19 seeking or failing to seek a protective order unless an employer seeks a protective
 20 order for an illegitimate purpose.

21 **Sec. 18.65.899. Definitions.** In AS 18.65.875 - 18.65.899,

22 (1) "course of conduct" has the meaning given in AS 11.41.270;

23 (2) "employee" means an individual employed by an employer but
 24 does not include an individual employed in the domestic service of any person;

25 (3) "employer" means a person who employs one or more other
 26 persons;

27 (4) "threat of violence" means a statement or course of conduct that
 28 recklessly places a person in fear of physical injury or death;

29 (5) "violence" means a crime under AS 11.41 that injures a person or
 30 places a person in fear of physical injury or death;

31 (6) "workplace" means a place of employment other than a place used

1 primarily as a residence.

2 * **Sec. 55.** AS 18.66.210 is amended to read:

3 **Sec. 18.66.210. Exceptions.** The privilege provided under AS 18.66.200 does
4 not apply to

5 (1) reports of suspected child abuse or neglect under AS 47.17;

6 (2) evidence that the victim is about to commit a crime;

7 (3) a proceeding that occurs after the victim's death;

8 (4) a communication relevant to an issue of breach by the victim or
9 victim counselor of a duty arising out of the victim-victim counselor relationship;

10 (5) a communication that is determined to be admissible hearsay as an
11 excited utterance under the Alaska Rules of Evidence;

12 (6) a child-in-need-of-aid proceeding under AS 47.10;

13 (7) a communication made during the victim-victim counselor
14 relationship if the services of the counselor were sought, obtained, or used to enable
15 anyone to commit or plan a crime or to escape detection or apprehension after the
16 commission of a crime; or

17 (8) a criminal proceeding concerning criminal charges against a victim
18 of domestic violence, sex trafficking, or sexual assault in which [WHERE] the victim
19 is charged with a crime

20 (A) under AS 11.41 against a minor; or

21 (B) in which the physical, mental, or emotional condition of the
22 victim is raised in defense of the victim.

23 * **Sec. 56.** AS 18.66.250(1) is amended to read:

24 (1) "confidential communication" means information exchanged
25 between a victim and a victim counselor in private or in the presence of a third party
26 who is necessary to facilitate communication or further the counseling process and
27 that is disclosed in the course of victim counseling resulting from sex trafficking, a
28 sexual assault, or domestic violence;

29 * **Sec. 57.** AS 18.66.250(3) is amended to read:

30 (3) "victim" means a person who consults a victim counselor for
31 assistance in overcoming adverse effects of a sexual assault, sex trafficking, or

1 domestic violence;

2 * **Sec. 58.** AS 18.66.250(4) is amended to read:

3 (4) "victim counseling" means support, assistance, advice, or treatment
4 to alleviate the adverse effects of sex trafficking, a sexual assault, or domestic
5 violence on the victim;

6 * **Sec. 59.** AS 18.66.250(5) is amended to read:

7 (5) "victim counseling center" means a private organization, an
8 organization operated by or contracted by a branch of the armed forces of the United
9 States, or a local government agency that

10 (A) has, as one of its primary purposes, the provision of direct
11 services to victims for trauma resulting from [A] sexual assault, sex
12 trafficking, or domestic violence;

13 (B) is not affiliated with a law enforcement agency or a
14 prosecutor's office; and

15 (C) is not on contract with the state to provide services under
16 AS 47;

17 * **Sec. 60.** AS 18.66.250(6) is amended to read:

18 (6) "victim counselor" means an employee or supervised volunteer of a
19 victim counseling center that provides counseling to victims

20 (A) who has undergone a minimum of 40 hours of training in
21 sex trafficking, domestic violence, or sexual assault, crisis intervention, victim
22 support, treatment, and related areas; or

23 (B) whose duties include victim counseling.

24 * **Sec. 61.** AS 18.66.990(2) is amended to read:

25 (2) "crisis intervention and prevention program" means a community
26 program that provides information, education, counseling, and referral services to
27 individuals experiencing personal crisis related to domestic violence, sex trafficking,
28 or sexual assault and to individuals in personal or professional transition, excluding
29 correctional half-way houses, outpatient mental health programs, and drug or alcohol
30 rehabilitation programs;

31 * **Sec. 62.** AS 18.67.080(a) is amended to read:

1 (a) In a case in which a person is injured or killed by an incident specified in
 2 AS 18.67.101(1), [OR] by the act of any other person that is within the description of
 3 offenses listed in AS 18.67.101(2), **or as a result of the person's involvement in a**
 4 **commercial sexual act as described in AS 18.67.101(3)**, the board may order the
 5 payment of compensation in accordance with the provisions of this chapter:

6 (1) to or for the benefit of the injured person;

7 (2) in the case of personal injury or death of the victim, to a person
 8 responsible or who had been responsible for the maintenance of the victim who has
 9 suffered pecuniary loss or incurred expenses as a result of the injury or death;

10 (3) in the case of death of the victim, to or for the benefit of one or
 11 more of the dependents of the victim; or

12 (4) to the provider of a service under AS 18.67.110(b).

13 * **Sec. 63.** AS 18.67.101 is amended to read:

14 **Sec. 18.67.101. Incidents and offenses to which this chapter applies.** The
 15 board may order the payment of compensation in accordance with the provisions of
 16 this chapter for personal injury or death that resulted from

17 (1) an attempt on the part of the applicant to prevent the commission of
 18 crime, or to apprehend a suspected criminal, or aiding or attempting to aid a police
 19 officer to do so, or aiding a victim of crime; [OR]

20 (2) the commission or attempt on the part of one other than the
 21 applicant to commit any of the following offenses:

22 (A) murder in any degree;

23 (B) manslaughter;

24 (C) criminally negligent homicide;

25 (D) assault in any degree;

26 (E) kidnapping;

27 (F) sexual assault in any degree;

28 (G) sexual abuse of a minor;

29 (H) robbery in any degree;

30 (I) threats to do bodily harm;

31 (J) driving while under the influence of an alcoholic beverage,

1 inhalant, or controlled substance or another crime resulting from the operation
 2 of a motor vehicle, boat, or airplane when the offender is under the influence
 3 of an alcoholic beverage, inhalant, or controlled substance;

4 (K) arson in the first degree;

5 (L) [SEX TRAFFICKING IN VIOLATION OF AS 11.66.110
 6 OR 11.66.130(a)(2)(B);

7 (M)] human trafficking in any degree; or

8 (M) [(N)] unlawful exploitation of a minor; or

9 (3) the applicant's having been induced or caused to engage in a
 10 commercial sexual act under AS 11.41.340 - 11.41.350.

11 * **Sec. 64.** AS 18.85.100(c) is amended to read:

12 (c) An indigent person is entitled to representation under (a) and (b) of this
 13 section for purposes of bringing a timely application for post-conviction relief or
 14 petition for vacation of judgment under AS 12.72. An indigent person is not entitled
 15 to representation under (a) and (b) of this section for purposes of bringing

16 (1) an untimely or successive application for post-conviction relief or
 17 petition for vacation of judgment under AS 12.72 or an untimely or successive
 18 motion for reduction or modification of sentence;

19 (2) a petition for review or certiorari from an appellate court ruling on
 20 an application for post-conviction relief; or

21 (3) an action or claim for habeas corpus in federal court attacking a
 22 state conviction.

23 * **Sec. 65.** AS 22.15.100 is amended to read:

24 **Sec. 22.15.100. Functions and powers of district judge and magistrate.**

25 Each district judge and magistrate has the power

26 (1) to issue writs of habeas corpus for the purpose of inquiring into the
 27 cause of restraint of liberty, returnable before a judge of the superior court, and the
 28 same proceedings shall be had on the writ as if it had been granted by the superior
 29 court judge under the laws of the state in those cases;

30 (2) of a notary public;

31 (3) to solemnize marriages;

1 (4) to issue warrants of arrest, summons, and search warrants
2 according to manner and procedure prescribed by law and the supreme court;

3 (5) to act as an examining judge or magistrate in preliminary
4 examinations in criminal proceedings; to set, receive, and forfeit bail and to order the
5 release of defendants under bail;

6 (6) to act as a referee in matters and actions referred to the judge or
7 magistrate by the superior court, with all powers conferred on [UPON] referees by
8 laws;

9 (7) of the superior court in all respects including contempts, attendance
10 of witnesses, and bench warrants;

11 (8) to order the temporary detention of a minor, or take other action
12 authorized by law or rules of procedure, in cases arising under AS 47.10 or AS 47.12,
13 when the minor is in a condition or surrounding dangerous or injurious to the welfare
14 of the minor or others that requires immediate action; the action may be continued in
15 effect until reviewed by the superior court in accordance with rules of procedure
16 governing these cases;

17 (9) to issue a protective order in cases involving

18 (A) domestic violence as provided in AS 18.66.100 -
19 18.66.180; [OR]

20 (B) stalking or sexual assault as provided in AS 18.65.850 -
21 18.65.870; or

22 (C) workplace violence as provided in AS 18.65.875 -
23 18.65.899;

24 (10) to review an administrative revocation of a person's driver's
25 license or nonresident privilege to drive, and an administrative refusal to issue an
26 original license, when designated as a hearing officer by the commissioner of
27 administration and with the consent of the administrative director of the Alaska Court
28 System;

29 (11) to establish the fact of death or inquire into the death of a person
30 in the manner prescribed under AS 09.55.020 - 09.55.069;

31 (12) to issue an ex parte testing, examination, or screening order

1 according to the manner and procedure prescribed by AS 18.15.375.

2 * **Sec. 66.** AS 28.15.046(c) is amended to read:

3 (c) The department may not issue a license under this section to an applicant

4 (1) who has been convicted of any of the following offenses:

5 (A) a violation, or an attempt, solicitation, or conspiracy to
6 commit a violation, of AS 11.41.100 - 11.41.220, 11.41.260 - 11.41.320,
7 11.41.360 - 11.41.370, 11.41.410 - 11.41.470, or 11.41.500 - 11.41.530;

8 (B) a felony violation of endangering the welfare of a child in
9 the first degree under AS 11.51.100;

10 (C) felony indecent viewing or production of a picture under
11 AS 11.61.123;

12 (D) distribution of child **sexual abuse material**
13 [PORNOGRAPHY] under AS 11.61.125;

14 (E) possession of child **sexual abuse material**
15 [PORNOGRAPHY] under AS 11.61.127;

16 (F) distribution of indecent material to minors under
17 AS 11.61.128;

18 (G) felony prostitution under **AS 11.66.101 or felony patron**
19 **of a prostitute under 11.66.104** [AS 11.66.100(e)];

20 (H) sex trafficking in the first, second, or third degree under
21 **AS 11.41.340 - 11.41.350** [AS 11.66.110 - 11.66.130];

22 (I) a felony involving distribution of a controlled substance
23 under AS 11.71 or imitation controlled substance under AS 11.73;

24 (J) a felony violation under AS 28.35.030(n) or 28.35.032(p);

25 **(K) patron of a victim of sex trafficking under**
26 **AS 11.41.355;**

27 **(L) distribution of generated obscene child sexual abuse**
28 **material under AS 11.61.121;**

29 **(M) possession of generated obscene child sexual abuse**
30 **material under AS 11.61.122;** or

31 (2) who has been convicted of any of the following offenses and less

1 than two years have elapsed since the applicant's date of conviction for the offense:

2 (A) assault in the fourth degree under AS 11.41.230;

3 (B) reckless endangerment under AS 11.41.250;

4 (C) contributing to the delinquency of a minor under
5 AS 11.51.130;

6 (D) misdemeanor prostitution under **AS 11.66.102 or**
7 **misdemeanor patron of a prostitute under 11.66.106** [AS 11.66.100(a)(2)];

8 (E) a misdemeanor violation of endangering the welfare of a
9 child in the first degree under AS 11.51.100.

10 * **Sec. 67.** AS 34.03.360(10) is amended to read:

11 (10) "illegal activity involving a place of prostitution" means a
12 violation of **AS 11.66.101(a)** [AS 11.66.120(a)(1) OR 11.66.130(a)(2)(A) OR (D)];

13 * **Sec. 68.** AS 34.03.360(17) is amended to read:

14 (17) "prostitution" means an act in violation of **AS 11.66.101 -**
15 **11.66.106** [AS 11.66.100];

16 * **Sec. 69.** AS 39.25.110 is amended by adding a new paragraph to read:

17 (46) the executive director of the Council on Human and Sex
18 Trafficking established under AS 44.41.150.

19 * **Sec. 70.** AS 39.50.200(b) is amended by adding a new paragraph to read:

20 (65) Council on Human and Sex Trafficking (AS 44.41.150).

21 * **Sec. 71.** AS 43.23.005 is amended by adding a new subsection to read:

22 (i) The provisions of (d) of this section do not apply if an individual's
23 conviction was vacated during the qualifying year under AS 12.72. If an individual
24 becomes eligible under this subsection, the individual is eligible to receive a
25 permanent fund dividend only for the qualifying year in which the conviction was
26 vacated and each subsequent qualifying year for which the individual is otherwise
27 eligible under this section.

28 * **Sec. 72.** AS 44.23.080(a) is amended to read:

29 (a) If there is reasonable cause to believe that an Internet service account has
30 been used in connection with a violation of **AS 11.41.340 - 11.41.350, 11.41.452**
31 [AS 11.41.452], 11.41.455, or **AS 11.61.121, 11.61.122, or 11.61.125 - 11.61.128**

1 [AS 11.61.125 - 11.61.128], and that the identity, address, and other information about
 2 the account owner will assist in obtaining evidence that is relevant to the offense, a
 3 law enforcement officer may apply to the attorney general or the attorney general's
 4 designee for an administrative subpoena to obtain the business records of the Internet
 5 service provider located inside or outside of the state.

6 * **Sec. 73.** AS 44.41 is amended by adding new sections to read:

7 **Article 2. Council on Human and Sex Trafficking.**

8 **Sec. 44.41.150. Council on Human and Sex Trafficking.** The Council on
 9 Human and Sex Trafficking is created in the Department of Public Safety. The
 10 purpose of the council is to provide planning and coordination of programs specific to
 11 victim services, education, public awareness, data collection and dissemination, and
 12 reducing demand for human and sex trafficking.

13 **Sec. 44.41.155. Duties.** (a) The council shall

- 14 (1) elect one of its members as chair;
- 15 (2) develop and implement a standardized data collection system on
 16 human and sex trafficking, including methods for synthesizing and disseminating data
 17 and establishing standardized definitions as necessary;
- 18 (3) receive and dispense state and federal money and award grants and
 19 contracts from appropriations to qualified local community entities for the purpose of
 20 human and sex trafficking intervention and prevention programs;
- 21 (4) oversee and audit qualified local community entities that receive
 22 money from the council;
- 23 (5) coordinate and consult with the Department of Education and Early
 24 Development, the Department of Corrections, the Department of Health, the
 25 Department of Law, the Department of Labor and Workforce Development, the
 26 Department of Family and Community Services, the Department of Public Safety,
 27 other state agencies and qualified local community entities dealing with human and
 28 sex trafficking, including the Council on Domestic Violence and Sexual Assault, and
 29 survivors of human and sex trafficking to develop educational materials and resources
 30 related to, and increase public awareness of, human and sex trafficking;
- 31 (6) provide technical assistance as requested by the state agencies and

1 qualified local community entities listed in (5) of this subsection;

2 (7) conduct public hearings and create opportunities for public input on
3 issues relating to human and sex trafficking in the state;

4 (8) make an annual report to the governor on the activities of the
5 council, plans of the council for new services and programs, and concerns of the
6 council, including recommendations for legislation necessary to carry out the purposes
7 of AS 44.41.150 - 44.41.175; the council shall notify the legislature that the report is
8 available;

9 (9) recruit and hire an executive director to oversee the council; the
10 executive director may hire staff; the executive director is in the exempt service under
11 AS 39.25.110 and staff members are in the classified service under AS 39.25.100.

12 (b) The council may create advisory subcommittees.

13 **Sec. 44.41.160. Membership.** (a) The council consists of the following 17
14 members:

15 (1) seven members appointed by the governor as follows:

16 (A) two members who are mayors or elected officials in local
17 government;

18 (B) one member who represents a victim advocacy
19 organization;

20 (C) one member who represents an Alaska Native organization;
21 in this subparagraph, "Alaska Native organization" has the meaning given in
22 AS 18.66.020(d);

23 (D) one member who represents a local law enforcement
24 agency;

25 (E) one member who represents a faith-based community
26 organization; and

27 (F) one member who represents an organization that provides
28 direct services to the homeless;

29 (2) the chief executive officer of the Alaska Mental Health Trust
30 Authority or the chief executive officer's designee;

31 (3) the commissioner of health or the commissioner's designee;

- 1 (4) the attorney general or the attorney general's designee;
 2 (5) the commissioner of public safety or the commissioner's designee;
 3 (6) the commissioner of corrections or the commissioner's designee;
 4 (7) the commissioner of education and early development or the
 5 commissioner's designee;
 6 (8) the commissioner of labor and workforce development or the
 7 commissioner's designee;
 8 (9) the commissioner of family and community services or the
 9 commissioner's designee; and
 10 (10) two nonvoting members appointed as follows:

11 (A) one ex officio member from the house of representatives,
 12 appointed by the speaker of the house of representatives; and

13 (B) one ex officio member from the senate, appointed by the
 14 president of the senate.

15 (b) Public members of the council appointed under (a)(1) and (2) of this
 16 section serve three-year terms. A public member serves at the pleasure of the governor
 17 and may not serve more than two consecutive terms. Nonvoting members appointed
 18 under (a)(10) of this section serve staggered three-year terms and may not serve more
 19 than two full terms. A vacancy on the council shall be filled for the unexpired term by
 20 appointment by the governor.

21 (c) A person who receives compensation from or is an employee of the state or
 22 a human or sex trafficking crisis intervention or prevention program may not be
 23 appointed as a public member of the council.

24 **Sec. 44.41.165. Meetings and quorum.** (a) The council shall meet at least
 25 quarterly by teleconference or other electronic means at times to be determined by the
 26 chair. Additional meetings by teleconference or other electronic means may be called
 27 by the chair. Advisory subcommittees shall meet by teleconference or other electronic
 28 means. The council may hold an annual in-person meeting.

29 (b) The council may convene in-person public meetings to present information
 30 and receive public comment.

31 (c) Eight members of the council or a majority of filled positions, whichever is

1 less, constitutes a quorum for conducting business.

2 **Sec. 44.41.170. Compensation and expenses.** The members of the council
3 receive no salary but are entitled to transportation expenses and per diem in
4 accordance with AS 39.20.180.

5 **Sec. 44.41.175. Definitions.** In AS 44.41.150 - 44.41.175,

6 (1) "council" means the Council on Human and Sex Trafficking;

7 (2) "human and sex trafficking" means conduct in violation of
8 AS 11.41.340 - 11.41.357, 11.41.360, or 11.41.365.

9 * **Sec. 74.** AS 44.66.010(a) is amended by adding a new paragraph to read:

10 (15) Council on Human and Sex Trafficking (AS 44.41.150) - June 30,
11 2028.

12 * **Sec. 75.** AS 47.10.990(33) is amended to read:

13 (33) "sexual abuse" means the conduct described in AS 11.41.410 -
14 11.41.460, [;] conduct constituting "sexual exploitation" as defined in AS 47.17.290,
15 and conduct prohibited by AS 11.41.340 - 11.41.357 [AS 11.66.100 - 11.66.150];

16 * **Sec. 76.** AS 47.12.110(d) is amended to read:

17 (d) Notwithstanding (a) of this section, a court hearing on a petition seeking
18 the adjudication of a minor as a delinquent shall be open to the public, except as
19 prohibited or limited by order of the court, if

20 (1) the department files with the court a motion asking the court to
21 open the hearing to the public, and the petition seeking adjudication of the minor as a
22 delinquent is based on

23 (A) the minor's alleged commission of an offense, and the
24 minor has knowingly failed to comply with all the terms and conditions
25 required of the minor by the department or imposed on the minor in a court
26 order entered under AS 47.12.040(a)(2) or 47.12.120;

27 (B) the minor's alleged commission of

28 (i) a crime against a person that is punishable as a
29 felony;

30 (ii) a crime in which the minor employed a deadly
31 weapon, as that term is defined in AS 11.81.900(b), in committing the

1 crime;

2 (iii) arson under AS 11.46.400 - 11.46.410;

3 (iv) burglary under AS 11.46.300;

4 (v) distribution of child **sexual abuse material**
5 [PORNOGRAPHY] under AS 11.61.125;

6 (vi) sex trafficking [IN THE FIRST DEGREE] under
7 **AS 11.41.340 or 11.41.345** [AS 11.66.110]; [OR]

8 (vii) **distribution of generated obscene child sexual**
9 **abuse material under AS 11.61.121; or**

10 **(viii)** misconduct involving a controlled substance
11 under AS 11.71 involving the delivery of a controlled substance or the
12 possession of a controlled substance with intent to deliver, other than
13 an offense under AS 11.71.040 or 11.71.050; or

14 (C) the minor's alleged commission of a felony and the minor
15 was 16 years of age or older at the time of commission of the offense when the
16 minor has previously been convicted or adjudicated a delinquent minor based
17 on the minor's commission of an offense that is a felony; or

18 (2) the minor agrees to a public hearing on the petition seeking
19 adjudication of the minor as a delinquent.

20 * **Sec. 77.** AS 47.12.315(a) is amended to read:

21 (a) Notwithstanding AS 47.12.310 and except as otherwise provided in this
22 section, the department shall disclose information to the public, on request, concerning
23 a minor subject to this chapter who was at least 13 years of age at the time of
24 commission of

25 (1) a felony offense against a person under AS 11.41;

26 (2) arson in the first or second degree;

27 (3) burglary in the first degree;

28 (4) distribution of child **sexual abuse material** [PORNOGRAPHY];

29 (5) sex trafficking **under AS 11.41.340 or 11.41.345** [IN THE FIRST
30 DEGREE];

31 (6) misconduct involving a controlled substance in the first, second, or

1 third degrees involving distribution or possession with intent to deliver; [OR]

2 (7) misconduct involving weapons in the first through fourth degrees;

3 **or**

4 **(8) distribution of generated obscene child sexual abuse material**
 5 **under AS 11.61.121.**

6 * **Sec. 78.** AS 47.17.290(18) is amended to read:

7 (18) "sexual exploitation" includes

8 (A) allowing, permitting, or encouraging a child to engage in **a**
 9 **commercial sexual act prohibited by AS 11.41.340 - 11.41.357 or**
 10 prostitution prohibited by **AS 11.66.101** [AS 11.66.100 - 11.66.150], by a
 11 person responsible for the child's welfare;

12 (B) allowing, permitting, encouraging, or engaging in activity
 13 prohibited by AS 11.41.455(a), by a person responsible for the child's welfare.

14 * **Sec. 79.** AS 11.41.360(b), 11.41.470(7); AS 11.56.765(c)(3), 11.56.767(c)(3);
 15 AS 11.66.100, 11.66.110, 11.66.120, 11.66.130, 11.66.135, 11.66.140, 11.66.150(1); and
 16 AS 12.61.125(d)(2) are repealed.

17 * **Sec. 80.** The uncodified law of the State of Alaska is amended by adding a new section to
 18 read:

19 **INDIRECT COURT RULE AMENDMENTS.** (a) AS 18.65.895, added by sec. 54 of
 20 this Act, has the effect of amending Rule 4, Alaska Rules of Civil Procedure, and Rule 9,
 21 Alaska Rules of Administration, relating to fees and service of process for a workplace
 22 violence protective order.

23 (b) AS 18.65.875 - 18.65.899, added by sec. 54 of this Act, have the effect of
 24 amending Rule 65, Alaska Rules of Civil Procedure, by changing the method for obtaining
 25 and the timing of temporary restraining orders.

26 * **Sec. 81.** The uncodified law of the State of Alaska is amended by adding a new section to
 27 read:

28 **APPLICABILITY.** (a) The following sections apply to offenses committed on or after
 29 the effective date of those sections:

30 (1) AS 11.31.120(h)(2), as amended by sec. 3 of this Act;

31 (2) AS 11.41.340 - 11.41.357, enacted by sec. 4 of this Act;

- 1 (3) AS 11.41.360(a), as amended by sec. 5 of this Act;
- 2 (4) AS 11.41.360(c), as amended by sec. 6 of this Act;
- 3 (5) AS 11.41.365, as amended by sec. 7 of this Act;
- 4 (6) AS 11.41.366 - 11.41.369, enacted by sec. 8 of this Act;
- 5 (7) AS 11.41.530(a), as amended by sec. 9 of this Act;
- 6 (8) AS 11.61.120(a), as amended by sec. 12 of this Act;
- 7 (9) AS 11.61.127(a), as amended by sec. 16 of this Act;
- 8 (10) AS 11.61.127(b), as amended by sec. 17 of this Act;
- 9 (11) AS 11.61.127(f), as amended by sec. 18 of this Act;
- 10 (12) AS 11.61.129(a), as amended by sec. 20 of this Act;
- 11 (13) AS 11.66.101 - 11.66.106, enacted by sec. 21 of this Act;
- 12 (14) AS 11.66.145, as amended by sec. 22 of this Act;
- 13 (15) AS 11.66.150, as amended by sec. 23 of this Act;
- 14 (16) AS 11.66.150(5), enacted by sec. 24 of this Act;
- 15 (17) AS 11.81.250(a), as amended by sec. 25 of this Act;
- 16 (18) AS 11.81.250(b), as amended by sec. 26 of this Act;
- 17 (19) AS 11.81.900(b)(69) - (73), enacted by sec. 27 of this Act;
- 18 (20) AS 12.10.010, as amended by sec. 28 of this Act;
- 19 (21) AS 12.37.010, as amended by sec. 29 of this Act.

20 (b) The following sections apply to sentences imposed on or after the effective date of
 21 those sections for conduct occurring on or after the effective date of those sections:

- 22 (1) AS 12.55.015(m), enacted by sec. 31 of this Act;
- 23 (2) AS 12.55.035(b), as amended by sec. 32 of this Act;
- 24 (3) AS 12.55.078(f), as amended by sec. 33 of this Act;
- 25 (4) AS 12.55.085(f), as amended by sec. 34 of this Act;
- 26 (5) AS 12.55.125(b), as amended by sec. 36 of this Act;
- 27 (6) AS 12.55.125(i), as amended by sec. 37 of this Act;
- 28 (7) AS 12.55.135(q), enacted by sec. 39 of this Act;
- 29 (8) AS 12.55.185(10), as amended by sec. 40 of this Act;
- 30 (9) AS 12.55.185(16), as amended by sec. 41 of this Act;
- 31 (10) AS 12.62.900(23), as amended by sec. 46 of this Act;

1 (11) AS 14.20.030(b), as amended by sec. 49 of this Act.

2 (c) AS 12.72.100 - 12.72.120, enacted by sec. 48 of this Act, and AS 18.85.100(c), as
3 amended by sec. 64 of this Act, apply to petitions filed on or after the effective date of sec. 48
4 of this Act for conduct occurring before, on, or after the effective date of secs. 48 and 64 of
5 this Act.

6 (d) AS 12.72.100 - 12.72.120, enacted by sec. 48 of this Act, apply to convictions
7 under former AS 11.66.100 occurring before the effective date of sec. 48 of this Act.

8 (e) The following sections apply to communications made on or after the effective
9 date of those sections relating to offenses occurring on or after the effective date of those
10 sections:

11 (1) AS 09.25.400, as amended by sec. 2 of this Act;

12 (2) AS 12.45.049, as amended by sec. 30 of this Act;

13 (3) AS 12.61.125(d)(3), enacted by sec. 43 of this Act;

14 (4) AS 12.61.140, as amended by sec. 44 of this Act;

15 (5) AS 12.61.140(c), enacted by sec. 45 of this Act;

16 (6) AS 18.66.210, as amended by sec. 55 of this Act;

17 (7) AS 18.66.250(1), as amended by sec. 56 of this Act;

18 (8) AS 18.66.250(3), as amended by sec. 57 of this Act;

19 (9) AS 18.66.250(4), as amended by sec. 58 of this Act;

20 (10) AS 18.66.250(5), as amended by sec. 59 of this Act;

21 (11) AS 18.66.250(6), as amended by sec. 60 of this Act.

22 * **Sec. 82.** The uncodified law of the State of Alaska is amended by adding a new section to
23 read:

24 TRANSITION: MEMBERS. AS 44.41.160(c), enacted by sec. 73 of this Act, does not
25 apply to two consecutive terms of a person appointed as an initial member of the Council on
26 Human and Sex Trafficking, established by sec. 73 of this Act, who is serving on the
27 Governor's Council on Human and Sex Trafficking, created by Administrative Order No. 328,
28 on the effective date of sec. 73 of this Act.

29 * **Sec. 83.** The uncodified law of the State of Alaska is amended by adding a new section to
30 read:

31 CONDITIONAL EFFECT. Sections 10, 11, 51 - 54, 65, and 80 of this Act take effect

1 only if sec. 80 of this Act receives the two-thirds majority vote of each house required by art.
2 IV, sec. 15, Constitution of the State of Alaska.

3 * **Sec. 84.** If secs. 10, 11, 51 - 54, 65, and 80 of this Act take effect under sec. 83 of this Act,
4 they take effect January 1, 2025.

5 * **Sec. 85.** Except as provided in sec. 84 of this Act, this Act takes effect January 1, 2025.