



LAWS OF ALASKA

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Source

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Chapter No.

AN ACT

Relating to petitions for a change of name for certain persons; relating to the duty to register as a sex offender; relating to sexual offenses; relating to domestic violence; relating to the code of military justice; relating to consent; relating to the testing of sexual assault examination kits; relating to lifetime revocation of a teaching certificate for certain offenses; amending Rule 84, Alaska Rules of Civil Procedure; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to petitions for a change of name for certain persons; relating to the duty to register
2 as a sex offender; relating to sexual offenses; relating to domestic violence; relating to the
3 code of military justice; relating to consent; relating to the testing of sexual assault
4 examination kits; relating to lifetime revocation of a teaching certificate for certain offenses;
5 amending Rule 84, Alaska Rules of Civil Procedure; and providing for an effective date.

6

7 * **Section 1.** AS 09.55.010 is amended by adding new subsections to read:

8 (b) A person seeking a change of name under this section shall notify the court
9 if the person is

10 (1) committed to the custody of the Department of Corrections, on
11 probation under AS 33.05, or on parole under AS 33.16; a person subject to this
12 paragraph shall provide proof satisfactory to the court that notice of the petition has

1 been provided to the person's assigned probation or parole officer;

2 (2) required to register as a sex offender under AS 12.63; a person
3 subject to this paragraph shall provide proof satisfactory to the court that notice of the
4 petition has been provided to the Department of Public Safety; or

5 (3) charged with an offense; a person subject to this paragraph shall
6 provide the court with the case number associated with the offense.

7 (c) In addition to the requirements provided under (a) of this section, a court
8 may not grant a change of name of a person subject to (b) of this section unless the
9 court finds that the change

10 (1) does not have a fraudulent purpose;

11 (2) is not intended to hinder or obstruct law enforcement purposes; and

12 (3) would not interfere with the rights of others.

13 * **Sec. 2.** AS 11.41.410 is amended to read:

14 **Sec. 11.41.410. Sexual assault in the first degree.** (a) An offender commits
15 the crime of sexual assault in the first degree if

16 (1) the offender engages in sexual penetration with another person

17 **(A)** without consent of that person **by**

18 **(i) the use of force or the express or implied threat of**
19 **force against any person or property; or**

20 **(ii) causing the person to become incapacitated;**

21 **(B) by impersonating someone known to the person for the**
22 **purpose of obtaining consent;**

23 (2) the offender attempts to engage in sexual penetration with another
24 person without consent of that person and causes serious physical injury to that
25 person;

26 (3) the offender engages in sexual penetration with another person

27 (A) who the offender knows is mentally incapable; and

28 (B) who is in the offender's care

29 (i) by authority of law; or

30 (ii) in a facility or program that is required by law to be
31 licensed by the state; or

1 (4) the offender engages in sexual penetration with a person who the
2 offender knows is unaware that a sexual act is being committed and

3 (A) the offender is a health care worker; and

4 (B) the offense takes place during the course of professional
5 treatment of the victim.

6 (b) Sexual assault in the first degree [IS AN UNCLASSIFIED FELONY
7 AND] is punishable as provided in AS 12.55 **and is**

8 **(1) an unclassified felony if the offender violates (a)(1)(A), (2), (3),**
9 **or (4) of this section;**

10 **(2) a class A felony if the offender violates (a)(1)(B) of this section.**

11 * **Sec. 3.** AS 11.41.420(a) is amended to read:

12 (a) An offender commits the crime of sexual assault in the second degree if

13 (1) the offender engages in sexual contact with another person

14 **(A) without consent of that person **by****

15 **(i) the use of force or the express or implied threat of**
16 **force against any person or property; or**

17 **(ii) causing the person to become incapacitated;**

18 **(B) by impersonating someone known to the person for the**
19 **purpose of obtaining consent;**

20 (2) the offender engages in sexual contact with a person

21 (A) who the offender knows is mentally incapable; and

22 (B) who is in the offender's care

23 (i) by authority of law; or

24 (ii) in a facility or program that is required by law to be
25 licensed by the state;

26 (3) the offender engages in sexual penetration with a person who is

27 (A) mentally incapable;

28 (B) incapacitated; or

29 (C) unaware that a sexual act is being committed; [OR]

30 (4) the offender engages in sexual contact with a person who the
31 offender knows is unaware that a sexual act is being committed and

1 (A) the offender is a health care worker; and
2 (B) the offense takes place during the course of professional
3 treatment of the victim; or

4 **(5) under circumstances not proscribed under AS 11.41.410, the**
5 **offender engages in sexual penetration with another person without consent of**
6 **that person.**

7 * **Sec. 4.** AS 11.41.425(a) is amended to read:

8 (a) An offender commits the crime of sexual assault in the third degree if the
9 offender

10 (1) engages in sexual contact with a person who is

11 (A) mentally incapable;

12 (B) incapacitated; or

13 (C) unaware that a sexual act is being committed;

14 (2) while employed in a state correctional facility or other placement
15 designated by the commissioner of corrections for the custody and care of prisoners,
16 engages in sexual penetration with a person who the offender knows is committed to
17 the custody of the Department of Corrections to serve a term of imprisonment or
18 period of temporary commitment;

19 (3) engages in sexual penetration with a person 18 or 19 years of age
20 who the offender knows is committed to the custody of the Department of Family and
21 Community Services under AS 47.10 or AS 47.12 and the offender is the legal
22 guardian of the person;

23 (4) while employed in the state by a law enforcement agency as a
24 peace officer, or while acting as a peace officer in the state, engages in sexual
25 penetration with a person with reckless disregard that the person is in the custody or
26 the apparent custody of the offender, or is committed to the custody of a law
27 enforcement agency;

28 (5) while employed by the state or a municipality of the state as a
29 probation officer or parole officer, or while acting as a probation officer or parole
30 officer in the state, engages in sexual penetration with a person with reckless disregard
31 that the person is on probation or parole; [OR]

1 (6) while employed as a juvenile probation officer or as a juvenile
2 facility staff, engages in sexual penetration with a person 18 or 19 years of age with
3 reckless disregard that the person is committed to the custody or probationary
4 supervision of the Department of Family and Community Services; or

5 (7) under circumstances not proscribed under AS 11.41.420, the
6 offender engages in sexual contact with another person without consent of that
7 person; in this paragraph, "sexual contact" does not include an offender
8 knowingly causing a person to come into contact with semen.

9 * **Sec. 5.** AS 11.41.445 is amended by adding a new subsection to read:

10 (c) In a prosecution under AS 11.41.410 - 11.41.427, where consent is at
11 issue,

12 (1) an expression of lack of consent through words or conduct means
13 there is no consent; an expression of lack of consent under this paragraph does not
14 require verbal or physical resistance and may include inaction;

15 (2) a current or previous dating, social, or sexual relationship between
16 the defendant and the person involved with the defendant in the conduct at issue may
17 not by itself constitute consent;

18 (3) a person cannot consent if the person is fraudulently made to
19 believe that the sexual act serves a professional purpose; in this paragraph,
20 "professional purpose" means an act the defendant has represented as a necessary part
21 or component of a provided service, part of the routine course of a procedure, or a
22 component of the defendant's profession that would occur if a person sought services
23 from another practitioner in the same field as the defendant.

24 * **Sec. 6.** AS 11.41.470(10) is repealed and reenacted to read:

25 (10) "without consent" means that, under the totality of the
26 circumstances surrounding the offense, there was not a freely given, reversible
27 agreement specific to the conduct at issue; in this paragraph, "freely given" means
28 agreement to cooperate in the act was positively expressed by word or action.

29 * **Sec. 7.** AS 11.41.530(a) is amended to read:

30 (a) A person commits the crime of coercion if, under circumstances not
31 proscribed under AS 11.41.410 - 11.41.427, the person compels another to engage in

1 conduct from which there is a legal right to abstain or abstain from conduct in which
2 there is a legal right to engage, by means of instilling in the person who is compelled a
3 fear that, if the demand is not complied with, the person who makes the demand or
4 another may

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

7 (2) accuse anyone of a crime;

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

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

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

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

18 * **Sec. 8.** AS 11.56.840(a) is amended to read:

19 (a) A person commits the crime of failure to register as a sex offender or child
20 kidnapper in the second degree if the person

21 (1) is required to register under AS 12.63.010;

22 (2) knows that the person is required to register under AS 12.63.010;

23 and

24 (3) fails to

25 (A) register;

26 (B) file written notice of

27 (i) change of residence;

28 (ii) change of mailing address;

29 (iii) establishment of an electronic or messaging address
30 or any change to an electronic or messaging address; [OR]

31 (iv) establishment of an Internet communication

1 identifier or any change to an Internet communication identifier; or
2 (v) change of name;

3 (C) file the annual or quarterly written verification; or

4 (D) supply accurate and complete information required to be
5 submitted under this paragraph.

6 * **Sec. 9.** AS 11.61.118(a) is amended to read:

7 (a) A person commits the crime of harassment in the first degree if, under
8 circumstances not proscribed under AS 11.41.410 - 11.41.427 or 11.41.434 -
9 11.41.440 [AS 11.41.434 - 11.41.440], the person violates AS 11.61.120(a)(5) and the
10 offensive physical contact is contact

11 (1) with human or animal blood, mucus, saliva, semen, urine, vomitus,
12 or feces; or

13 (2) by the person touching through clothing another person's genitals,
14 buttocks, or female breast.

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

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

19 (1) \$500,000 for murder in the first or second degree, attempted
20 murder in the first degree, murder of an unborn child, sexual assault in the first degree
21 under AS 11.41.410(a)(1)(A), (2), (3), or (4), sexual abuse of a minor in the first
22 degree, kidnapping, sex trafficking in the first degree under AS 11.66.110(a)(2), or
23 misconduct involving a controlled substance in the first degree;

24 (2) \$250,000 for a class A felony;

25 (3) \$100,000 for a class B felony;

26 (4) \$50,000 for a class C felony;

27 (5) \$25,000 for a class A misdemeanor;

28 (6) \$2,000 for a class B misdemeanor;

29 (7) \$500 for a violation.

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

31 (i) A defendant convicted of

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

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

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

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

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

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

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

19 (E) if the offense is a third felony conviction and the defendant
20 is not subject to sentencing under (F) of this paragraph or (I) of this section, 40
21 to 60 years;

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

25 (2) **sexual assault in the first degree under AS 11.41.410(a)(1)(B),**
26 unlawful exploitation of a minor under AS 11.41.455(c)(1), enticement of a minor
27 under AS 11.41.452(e), or attempt, conspiracy, or solicitation to commit sexual assault
28 in the first degree **under AS 11.41.410(a)(1)(A), (2), (3), or (4)**, sexual abuse of a
29 minor in the first degree, or sex trafficking in the first degree under
30 AS 11.66.110(a)(2) may be sentenced to a definite term of imprisonment of not more
31 than 99 years and shall be sentenced to a definite term within the following

1 presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

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

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

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

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

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

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

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

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

20 (3) sexual assault in the second degree, sexual abuse of a minor in the
21 second degree, enticement of a minor under AS 11.41.452(d), indecent exposure in the
22 first degree under AS 11.41.458(b)(2), [OR] distribution of child pornography under
23 AS 11.61.125(e)(2), **or attempt, conspiracy, or solicitation to commit sexual**
24 **assault in the first degree under AS 11.41.410(a)(1)(B)** may be sentenced to a
25 definite term of imprisonment of not more than 99 years and shall be sentenced to a
26 definite term within the following presumptive ranges, subject to adjustment as
27 provided in AS 12.55.155 - 12.55.175:

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

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

31 (C) if the offense is a second felony conviction and the

1 defendant has a prior conviction for a sexual felony, 15 to 30 years;

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

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

6 (4) sexual assault in the third degree, sexual abuse of a minor in the
7 third degree under AS 11.41.438(c), incest, indecent exposure in the first degree under
8 AS 11.41.458(b)(1), indecent viewing or production of a picture under
9 AS 11.61.123(f)(1) or (2), possession of child pornography, distribution of child
10 pornography under AS 11.61.125(e)(1), or attempt, conspiracy, or solicitation to
11 commit sexual assault in the second degree, sexual abuse of a minor in the second
12 degree, unlawful exploitation of a minor, or distribution of child pornography, may be
13 sentenced to a definite term of imprisonment of not more than 99 years and shall be
14 sentenced to a definite term within the following presumptive ranges, subject to
15 adjustment as provided in AS 12.55.155 - 12.55.175:

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

19 (B) if the offense is a first felony conviction under
20 AS 11.61.125(e)(1) and does not involve circumstances described in (C) of this
21 paragraph, four to 12 years;

22 (C) if the offense is a first felony conviction under
23 AS 11.61.125(e)(1), and the defendant hosted, created, or helped host or create
24 a mechanism for multi-party sharing or distribution of child pornography, or
25 received a financial benefit or had a financial interest in a child pornography
26 sharing or distribution mechanism, six to 14 years;

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

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

31 (F) if the offense is a third felony conviction and does not

1 involve circumstances described in (G) of this paragraph, 15 to 25 years;

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

4 * **Sec. 12.** AS 12.63.010(c) is amended to read:

5 (c) If a sex offender or child kidnapper changes residence **or obtains a**
6 **change of name under AS 09.55.010 or AS 25.24.165** after having registered under
7 (a) of this section, the sex offender or child kidnapper shall provide written notice of
8 the change by the next working day following the change to the Alaska state trooper
9 post or municipal police department located nearest to the new residence or, if the
10 residence change is out of state, to the central registry. If a sex offender or child
11 kidnapper establishes or changes an electronic mail address, instant messaging
12 address, or other Internet communication identifier, the sex offender or child
13 kidnapper shall, by the next working day, notify the department in writing of the
14 changed or new address or identifier.

15 * **Sec. 13.** AS 14.20.030(b) is amended to read:

16 (b) The commissioner or the Professional Teaching Practices Commission
17 shall revoke for life the certificate of a person who has been convicted of a crime, or
18 an attempt, solicitation, or conspiracy to commit a crime, involving a minor under
19 AS 11.41.410 - 11.41.460, **AS 11.61.125, or 11.61.127,** or a law or ordinance in
20 another jurisdiction with elements similar to an offense described in this subsection.

21 * **Sec. 14.** AS 18.66.990(3) is amended to read:

22 (3) "domestic violence" and "crime involving domestic violence" mean
23 one or more of the following offenses or an offense under a law or ordinance of
24 another jurisdiction having elements similar to these offenses, or an attempt to commit
25 the offense, by a household member against another household member:

26 (A) a crime against the person under AS 11.41;

27 (B) burglary under AS 11.46.300 - 11.46.310;

28 (C) criminal trespass under AS 11.46.320 - 11.46.330;

29 (D) arson or criminally negligent burning under AS 11.46.400 -
30 11.46.430;

31 (E) criminal mischief under AS 11.46.475 - 11.46.486;

- 1 (F) terrorist threatening under AS 11.56.807 or 11.56.810;
- 2 (G) violating a protective order under AS 11.56.740(a)(1);
- 3 (H) harassment under AS 11.61.120(a)(2) - (4) **or (6)**; or
- 4 (I) cruelty to animals under AS 11.61.140(a)(5) if the animal is
- 5 a pet;

6 * **Sec. 15.** AS 25.24.165 is amended by adding new subsections to read:

7 (c) This section does not apply to a person who seeks a change of name other
8 than a prior name and who is committed to the custody of the Department of
9 Corrections, on probation under AS 33.05, on parole under AS 33.16, or required to
10 register as a sex offender under AS 12.63.

11 (d) A person seeking a change of name to a prior name under this section shall
12 notify the court if the person is

13 (1) committed to the custody of the Department of Corrections, on
14 probation under AS 33.05, or on parole under AS 33.16; a person subject to this
15 paragraph shall provide proof satisfactory to the court that notice of the petition has
16 been provided to the person's assigned probation or parole officer;

17 (2) required to register as a sex offender under AS 12.63; a person
18 subject to this paragraph shall provide proof satisfactory to the court that notice of the
19 petition has been provided to the Department of Public Safety; or

20 (3) charged with an offense; a person subject to this paragraph shall
21 provide the court with the case number associated with the offense.

22 * **Sec. 16.** AS 26.05.900(e) is amended by adding a new paragraph to read:

23 (9) "consent" has the meaning given in AS 26.05.890(h).

24 * **Sec. 17.** AS 33.05.020 is amended by adding a new subsection to read:

25 (j) The commissioner shall notify the victim of a crime upon receiving notice
26 that a probationer has filed a petition for a change of name under AS 09.55.010.

27 * **Sec. 18.** AS 33.16.180 is amended to read:

28 **Sec. 33.16.180. Duties of the commissioner.** The commissioner shall

29 (1) conduct investigations of prisoners eligible for discretionary parole,
30 as requested by the board and as provided in this section;

31 (2) supervise the conduct of parolees;

- 1 (3) appoint and assign parole officers and personnel;
- 2 (4) notify the board and provide information on a prisoner 120 days
3 before the prisoner's mandatory release date, if the prisoner is to be released on
4 mandatory parole;
- 5 (5) maintain records, files, and accounts as requested by the board;
- 6 (6) prepare parole reports under AS 33.16.110(a);
- 7 (7) notify the board in writing of a prisoner's compliance or
8 noncompliance with the prisoner's case plan created under AS 33.30.011(a)(8) not less
9 than 30 days before the prisoner's next parole eligibility date or the prisoner's parole
10 hearing date, whichever is earlier;
- 11 (8) establish an administrative sanction and incentive program to
12 facilitate a swift and certain response to a parolee's compliance with or violation of the
13 conditions of parole and shall adopt regulations to implement the program; at a
14 minimum, the regulations must include
- 15 (A) a decision-making process to guide parole officers in
16 determining the suitable response to positive and negative offender behavior
17 that includes a list of sanctions for the most common types of negative
18 behavior, including technical violations of conditions of parole, and a list of
19 incentives for compliance with conditions and positive behavior that exceeds
20 those conditions;
- 21 (B) policies and procedures that ensure
- 22 (i) a process for responding to negative behavior that
23 includes a review of previous violations and sanctions;
- 24 (ii) that enhanced sanctions for certain negative conduct
25 are approved by the commissioner or the commissioner's designee; and
- 26 (iii) that appropriate due process protections are
27 included in the process, including notice of negative behavior, an
28 opportunity to dispute the accusation and the sanction, and an
29 opportunity to request a review of the accusation and the sanction;
- 30 [AND]
- 31 (9) within 30 days after sentencing of an offender, provide the victim

1 of a crime information on the earliest dates the offender could be released on furlough,
2 probation, or parole, including deductions or reductions for good time or other good
3 conduct incentives, and the process for release, including contact information for the
4 decision-making bodies; **and**

5 **(10) notify the board and the victim of a crime upon receiving**
6 **notice that a parolee has filed a petition for a change of name under AS 09.55.010**
7 **or AS 25.24.165.**

8 * **Sec. 19.** AS 33.30.013(a) is amended to read:

9 (a) The commissioner shall notify the victim if [THE OFFENDER]

10 (1) **the offender** escapes from custody;

11 (2) **the offender** is discharged from parole under AS 33.16; [OR]

12 (3) **the offender** is released to the community on a furlough, on an
13 early release program, or for any other reason; **or**

14 **(4) the commissioner receives notice that the offender has filed a**
15 **petition for a change of name under AS 09.55.010 or AS 25.24.165.**

16 * **Sec. 20.** AS 44.41.065(a) is amended to read:

17 (a) When a law enforcement agency collects a sexual assault examination kit
18 under AS 18.68.010, the agency shall

19 (1) within 30 days after the agency collects the sexual assault
20 examination kit, send the sexual assault examination kit to an accredited laboratory in
21 coordination with the Department of Public Safety or a laboratory operated by the
22 Department of Public Safety;

23 (2) ensure that the laboratory to which the sexual assault examination
24 kit is sent under (1) of this subsection conducts a serological or DNA test on the
25 sexual assault examination kit within **six months** [ONE YEAR] after the laboratory
26 receives the sexual assault examination kit; and

27 (3) within two weeks after the laboratory that receives the sexual
28 assault examination kit under (1) of this subsection completes serological or DNA
29 testing, make a reasonable effort to notify the victim from whom the sexual assault
30 examination kit was collected that the sexual assault examination kit has been tested.

31 * **Sec. 21.** AS 26.05.900(e)(8) is repealed.

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

3 INDIRECT COURT RULE AMENDMENT. AS 09.55.010, as amended by sec. 1 of
4 this Act, and AS 25.24.165, as amended by sec. 15 of this Act, have the effect of changing
5 Rule 84, Alaska Rules of Civil Procedure, by establishing specific parties that must be
6 notified and findings that must be made by the court when certain persons petition for a
7 change of name.

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

10 APPLICABILITY. (a) AS 11.41.410, as amended by sec. 2 of this Act,
11 AS 11.41.420(a), as amended by sec. 3 of this Act, AS 11.41.425(a), as amended by sec. 4 of
12 this Act, AS 11.41.445(c), enacted by sec. 5 of this Act, AS 11.41.470(10), as repealed and
13 reenacted by sec. 6 of this Act, AS 11.41.530(a), as amended by sec. 7 of this Act,
14 AS 11.56.840(a), as amended by sec. 8 of this Act, AS 11.61.118(a), as amended by sec. 9 of
15 this Act, AS 12.55.035(b), as amended by sec. 10 of this Act, AS 12.55.125(i), as amended by
16 sec. 11 of this Act, AS 14.20.030(b), as amended by sec. 13 of this Act, AS 26.05.900(e), as
17 amended by sec. 16 of this Act, and the repeal of AS 26.05.900(e)(8) by sec. 21 of this Act
18 apply to offenses committed on or after the effective date of secs. 2 - 11, 13, 16, and 21 of this
19 Act.

20 (b) AS 12.63.010(c), as amended by sec. 12 of this Act, applies to the duty to register
21 as a sex offender or child kidnapper for offenses committed before, on, or after the effective
22 date of sec. 12 of this Act.

23 * **Sec. 24.** The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 CONDITIONAL EFFECT. AS 09.55.010(b) and (c), enacted by sec. 1 of this Act, and
26 AS 25.24.165(c) and (d), enacted by sec. 15 of this Act, take effect only if sec. 22 of this Act
27 receives the two-thirds majority vote of each house required by art. IV, sec. 15, Constitution
28 of the State of Alaska.

29 * **Sec. 25.** Section 20 of this Act takes effect July 1, 2023.

30 * **Sec. 26.** Except as provided in sec. 25 of this Act, this Act takes effect January 1, 2023.