

**HOUSE BILL NO. 235**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE HIGGINS**

**Introduced: 1/21/14**

**Referred: State Affairs, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act requiring the Alaska Public Offices Commission to maintain the confidentiality**  
2 **of certain proceedings, documents, and information."**

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

4 **\* Section 1.** AS 15.13.045 is amended by adding a new subsection to read:

5 (e) Proceedings of the commission relating to an investigation conducted  
6 under this section concerning a potential violation of AS 15.13 or AS 39.50 are  
7 confidential until the commission determines that a violation has occurred. Hearings  
8 of the commission relating to the investigation are closed to the public until the  
9 commission determines that a violation has occurred. All documents produced or  
10 disclosed as a result of the commission's investigation are confidential and are not  
11 public records for purposes of AS 40.25.110 - 40.25.140 until the commission  
12 determines that a violation has occurred. The subject of the investigation may waive  
13 the confidentiality provisions of this subsection.

14 **\* Sec. 2.** AS 15.13.380 is amended by adding a new subsection to read:

1           (l) Proceedings of the commission relating to a complaint made under (b) of  
2 this section are confidential until the commission determines that a violation of this  
3 chapter has occurred. All meetings of the commission relating to a complaint are  
4 closed to the public until the commission determines that a violation has occurred. The  
5 complaint and all documents produced or disclosed as a result of the commission's  
6 investigation are confidential and are not public records for purposes of AS 40.25.110  
7 - 40.25.140 until the commission determines that a violation has occurred. The subject  
8 of the complaint may waive the confidentiality provisions of this subsection.

9   \* **Sec. 3.** AS 39.50.055 is amended by adding a new subsection to read:

10           (d) Proceedings of the commission relating to a complaint made under this  
11 section are confidential until the commission determines that a violation of this  
12 chapter has occurred. All meetings of the commission relating to a complaint are  
13 closed to the public until the commission determines that a violation of this chapter  
14 has occurred. Until the commission determines that a violation has occurred, the  
15 complaint and all documents produced or disclosed as a result of the commission's  
16 investigation are confidential and are not public records for purposes of AS 40.25.110  
17 - 40.25.140. The subject of the complaint may waive the confidentiality provisions of  
18 this subsection.