

ALASKA STATE LEGISLATURE

EDUCATION

ETHICS

HEALTH & SOCIAL SERVICES

RULES

WORLD TRADE



SENATOR Tom Begich

Senate Democratic Leader

WHILE IN SESSION
STATE CAPITOL
JUNEAU, AK 99801
(907) 465-3704

•
WHILE IN ANCHORAGE
1500 W BENSON BLVD
ANCHORAGE, AK 99503
(907) 269-0169

Juveniles: Justice, Facilities, Treatment Sectional Analysis

Senate Bill 99

Version: 32-LS0630\A

Section 1. Amends *AS 09.65.255 Liability for acts of minors* to the list of facilities not held liable for acts of an unemancipated minor in their custody and conforms language.

Section 2 through Section 4. Conforms language used in *AS 11.41.425* and *AS 11.41.427*.

Section 5. Amends *AS 11.41.470 Definitions* by including employees of juvenile treatment institutions and juvenile and adult probation officers in the definition of legal guardians.

Section 6. Amends *AS 11.41.470 Definitions* by adding correctional employees, juvenile facility staff, treatment institution staff, juvenile probation officer, and adult probation officers to the list of persons able to exercise custodial control over a minor.

Section 7. Inserts new definition subsections under *AS 11.41.470 Definitions*.

Section 8. Amends *AS 11.61.123 Indecent viewing or production of a picture*, by including a treatment institution and juvenile treatment facility in the locations excluded under this section as defined under *AS 47.12.990 Definitions*.

Section 9 through Section 12. Conforms language used in *AS 14.07.020*, *AS 14.30.186*, *AS 17.37.070*, and *AS 18.20.449*.

Section 13. Conforms language used in *AS 47.10.141 Runaway and missing minors*.

Section 14. Inserts a new subsection under *AS 47.10.141 Runaway and missing minors* to define “temporary secure juvenile holding area,” and conforms definition under *AS 47.12.990 Definitions*.

Section 15. Conforms language used in *AS 47.10.990 Definitions*.

Section 16. Conforms language used in *AS 47.12.025 Special provisions for certain persons considered to be minors*.

Section 17. Amends *AS 47.12.030 Provisions inapplicable* by inserting *AS 04.16.050 Possession, control, or consumption by persons under 21 years of age* to the list of legal proceedings that result from a violation which a legal guardian of an accused minor must be present for.

Section 18. Amends *AS 47.12.040 Investigation and petition* by clarifying the Division of Juvenile Justice (the division) may file amended or supplemental petitions, and that the courts may authorize an amended or supplemental petition if additional facts are determined.

Section 19. Clarifies type of detention facility described in *AS 47.12.120 Judgements and orders* and inserts, “secure residential psychiatric treatment center,” to places a minor in custody of the division may be placed.

Section 20. Includes “juvenile treatment facility, juvenile detention facility, secure residential psychiatric treatment center” in *AS 47.12.140 Court disposition order* as locations a minor in custody of the division may be placed.

Section 21. Amends *AS 47.12.150 Legal custody, guardianship, and residual parental rights and responsibilities* by inserting *AS 47.12.240 Detention of minors* to the list of statutes that apply when legal custody of a minor must be established.

Section 22. Conforms language used in *AS 47.12.240 Detention of minors* and clarifies locations exempted under this section.

Section 23. Updates locations used in *AS 47.12.240 Detention of minors*.

Section 24. Clarifies the type of probation officer in *AS 47.12.245 Arrest* and clarifies language used in “conditions of conduct.”

Section 25. Clarifies language in *AS 47.12.250 Temporary detention and detention hearing* and inserts, “temporary secure juvenile holding area,” as a location a minor in custody of the division may be detained.

Section 26. Repeals *AS 47.12.270 Youth counselors* and reenacts statute using conforming language.

Section 27. Amends *AS 47.12.310 Agency records* by referencing *AS 47.12.120 Judgement and orders* to ensure proper notification is given to a victim.

Section 28. Amends *AS 47.12.315 Public disclosure of information in department records relating to certain minors* by clarifying which type of offense the division may disclose to the public or by request.

Section 29. Clarifies the definition of a “juvenile detention facility” used in *AS 47.12.315 Public disclosure of information in department records relating to certain minors*.

Section 30. Clarifies the definition of minor used in *AS 47.12.990 Definitions*.

Section 31. Inserts new definitions under *AS 47.12.990 Definitions* for “juvenile probation officer,” “juvenile treatment facility,” “residential childcare facility,” and “temporary secure juvenile holding area.”

Section 32. Conforms language used in *AS 47.14.010 General powers of department over juvenile institutions*.

Section 33. Conforms language used in *47.14.020 Duties of department*.

Section 34. Conforms language used in *AS 47.14.040 Authority to maintain and operate home, work camp, or facility* and inserts, “temporary secure juvenile holding area, juvenile detention facility, or juvenile treatment facility,” to the locations permitted to be operated by a municipality or nonprofit.

Section 35. Repeals and reenacts *AS 47.14.050 Operation of homes and facilities* to clarify which facilities the Department of Health and Social Services (the department) may adopt standards and regulations for.

Section 36. Conforms language used in *AS 47.14.050 Operation of homes and facilities*.

Section 37 through Section 38. Conforms language used in *AS 47.14.990 Definitions*.

Section 39. Inserts new definition subsections under *AS 47.14.990 Definitions*.

Section 40. Amends *AS 47.14.020 Duties of department* to include juvenile probation officers, juvenile probation office staff, and staff of juvenile detention and treatment facilities as required to report evidence of child abuse or neglect.

Section 41. Repeals outdated definitions for “juvenile detention home,” “juvenile work camp,” and “treatment facility” used in *AS 47.12.990* and *AS 47.14.990*.

Repeals revocation of juvenile driver licenses for offenses involving a controlled substance that was handled informally by the division used in *AS 28.15.176*.

Repeals revocation of driver license for offenses that were unrelated to driving and handled informally by the division used in *AS 47.12.060*.

Section 42. Establishes applicability language for offenses committed on or after effective date for Section 2 through Section 8 and 17 of this Act.

Section 43. Adds transition language authorizing the department to adopt regulations to implement the changes made under this legislation.

Section 44. Establishes an immediate effective date.