

ALASKA LEGISLATURE

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HB 246: Access to Marijuana Conviction Records

Explanation of Changes from Version A to Version B

1. Version A, page 2, lines 21 and 30, changed “criminal history record information” to “criminal justice information”, to conform with language used elsewhere in AS 12.62.160, and to clarify what types of information are being referred to in the bill, as each term has a different definition, and using “criminal history record information” would apply sections of the bill to the court system, that weren’t intended to relate to them.
2. Version A, page 2, line 30, deleted “if” and replaced it with “of a criminal case in which”. This was needed to clarify that if a person has convictions that meet the requirements of this bill, only those convictions, and not the entirety of their criminal justice information, will be removed from Courtview or shielded from certain types of background checks.
3. Version A, page 1, line 8, modifies the legislative intent by removing replacing “under today’s laws” with the bill’s effective date of January 1, 2023. This was needed to time-stamp the date by which the convictions affected by this legislation are being acknowledged by the legislature as no longer a crime.
4. Version B, page 3, lines 18-23, added a new section to the bill, amending the uncodified law of the State of Alaska to include language that helps to clarify that the Alaska Court System will remove court records that meet the requirements of this bill, retroactively from the effective date of the bill, which was not clear in Version A. It also states that they will remove these records “to the extent practicable”, recognizing that a small number of these records will be difficult to identify as meeting the requirements of the bill, without significant extra effort and cost on the part of the courts, and that they needn’t expend the extra resources required to automatically remove such records. The bill sections were then renumbered accordingly, making this portion section 5, in Version B.