

CS FOR HOUSE BILL NO. 180(FIN) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 3/3/00

Offered: 2/7/00

Sponsor(s): REPRESENTATIVES COWDERY, Dyson, Green

SENATORS Halford, Taylor

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the manufacture, use, display, or delivery of controlled
2 substances while children are present."

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

4 * Section 1. AS 11.51.130(a) is amended to read:

5 (a) A person commits the crime of contributing to the delinquency of a minor
6 if, being 19 years of age or older or being under 19 years of age and having the
7 disabilities of minority removed for general purposes under AS 09.55.590, the person
8 aids, induces, causes, or encourages a child

9 (1) under 18 years of age to do any act prohibited by state law unless
10 the child's disabilities of minority have been removed for general purposes under
11 AS 09.55.590;

12 (2) under 18 years of age or allows a child under 18 years of age to
13 enter or remain in the immediate physical presence of [SAME ROOM IN A
14 BUILDING WHERE] the unlawful manufacture, use, display, or delivery [SALE]

1 of a **controlled substance knowing that the manufacture, use, display, or delivery**
2 **is occurring.** [DRUG OCCURS] unless the child's disabilities of minority have been
3 removed for general purposes under AS 09.55.590;

4 (3) under 16 years of age to be repeatedly absent from school, without
5 just cause; or

6 (4) under 18 years of age to be absent from the custody of a parent,
7 guardian, or custodian without the permission of the parent, guardian, or custodian or
8 without the knowledge of the parent, guardian, or custodian, unless the child's
9 disabilities of minority have been removed for general purposes under AS 09.55.590
10 or the person has immunity under AS 47.10.350 or 47.10.398(a); it is an affirmative
11 defense to a prosecution under this paragraph that, at the time of the alleged offense,
12 the defendant

13 (A) reasonably believed that the child was in danger of physical
14 injury or in need of temporary shelter; and

15 (B) within 12 hours after taking the actions comprising the
16 alleged offense, notified a peace officer, a law enforcement agency, or the
17 Department of Health and Social Services of the name of the child and the
18 child's location.