

# ALASKA LEGISLATURE

## Representative Jonathan Kreiss-Tomkins

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### **Sectional for HB 246 — ACCESS TO MARIJUANA CONVICTION RECORDS**

#### **Version A**

*"An Act restricting the release of certain records of convictions; and providing for an effective date."*

**Section 1:** Adds a new section stating the legislative intent behind this bill.

**Section 2:** Amends subsection (b)(8) by adding criminal history record information for marijuana possession that meet the requirements laid out in (f) of this same section, to the list of exceptions for the release of criminal justice information.

**Section 3:** Adds a new subsection (f) to AS 12.62.160, which adds new criteria for criminal history record information that an agency cannot release. This new section prohibits release of criminal history record information for convictions under AS 11.71.060 for less than one ounce of a "schedule VIA" controlled substance, where the defendant was 21 years or older at the time of the offense, was not convicted of any other criminal charges in that same case, and has formally requested that the agency not release these records.

**Section 4:** Adds a new section to AS 22.35, stating that records of criminal charges or convictions that meet the requirements stated in this section, may not be published by the court system on a publicly available website. This applies to criminal history record information for convictions under AS 11.71.060 for less than one ounce of a "schedule VIA" controlled substance, where the defendant was 21 years or older at the time of the offense, and was not convicted of any other criminal charges in that same case.

**Section 5:** Provides an effective date of January 1, 2023.