

**CS FOR HOUSE BILL NO. 256(CRA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 3/18/22

Referred: State Affairs, Finance

Sponsor(s): REPRESENTATIVES TARR, Drummond

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the Alaska Police Standards Council; relating to municipal**  
2 **correctional officers and municipal correctional employees; making municipal police**  
3 **officers subject to police standards; requiring the Department of Public Safety to submit**  
4 **a yearly use-of-force report to the legislature; requiring a municipality that employs a**  
5 **person as a municipal police officer and the Department of Public Safety to report to the**  
6 **Federal Bureau of Investigation incidents of use of force by state and municipal police**  
7 **officers; and providing for an effective date."**

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

9 \* **Section 1.** AS 18.65.220 is amended by adding new subsections to read:

10 (b) The council shall make recommendations relating to and may adopt  
11 regulations requiring a police officer, probation officer, parole officer, municipal  
12 correctional officer, or correctional officer to report to a supervisor, as soon as  
13 practicable, an incident in which an officer used deadly force or prepared to use deadly

1 force against a person.

2 (c) The council shall maintain a central registry of police officers, probation  
3 officers, parole officers, municipal correctional officers, and correctional officers who  
4 have had a certificate denied or revoked under AS 18.65.240(c) or 18.65.245. The  
5 council may enter and maintain in the central registry information that the council  
6 obtains from the Department of Public Safety, the Department of Corrections, or a  
7 municipality about each officer who has had a certificate denied or revoked. The  
8 central registry information shall include the reason for which each officer's certificate  
9 was denied or revoked. The council shall adopt regulations to ensure the appropriate  
10 circulation to law enforcement agencies of information contained in the central  
11 registry.

12 (d) The council shall prepare a report detailing the central registry information  
13 updates that have been entered in the preceding year and submit the report to the chief  
14 clerk of the house of representatives and the senate secretary not later than  
15 December 1 of each year.

16 (e) Upon request, the council shall assist a department, an agency, or a  
17 municipality in developing rules based on recommendations or regulations adopted  
18 under (b) of this section.

19 \* **Sec. 2.** AS 18.65.285 is amended to read:

20 **Sec. 18.65.285. Municipal correctional employees.** A municipality that  
21 employs persons in a municipal correctional facility shall [MAY, BY ORDINANCE,]  
22 require that those persons meet the requirements of AS 18.65.130 - 18.65.290 that are  
23 applicable to municipal correctional officers.

24 \* **Sec. 3.** AS 18.65.290(6) is amended to read:

25 (6) "municipal correctional officer" means a person who is employed  
26 full-time in a municipal correctional facility whose primary duty is to provide custody,  
27 care, security, control, and discipline of persons charged or convicted of offenses or  
28 held under authority of law; [AND THE MUNICIPALITY HAS ADOPTED AN  
29 ORDINANCE UNDER AS 18.65.285 MAKING AS 18.65.130 - 18.65.290  
30 APPLICABLE;]

31 \* **Sec. 4.** AS 18.65.290 is amended by adding a new paragraph to read:

1 (10) "deadly force" has the meaning given in AS 11.81.900(b).

2 \* **Sec. 5.** AS 18.65.670(c) is amended to read:

3 (c) The commissioner of public safety may adopt regulations related to village  
4 public safety officers, including minimum standards and training, criteria for  
5 participation by a community, a municipality, an Alaska Native organization, or a  
6 corporation, and the interaction between the Department of Public Safety and village  
7 public safety officers. Regulations adopted by the commissioner of public safety under  
8 this subsection may not prohibit village public safety officers who otherwise meet  
9 minimum standards and training from carrying firearms. If the commissioner of public  
10 safety adopts regulations regarding training for village public safety officers, at a  
11 minimum, that training must include disability training that provides training in the  
12 subjects set out in AS 18.65.220(a)(3) [AS 18.65.220(3)]. The commissioner of  
13 corrections may adopt regulations related to the functions of village public safety  
14 officers providing probation and parole supervision.

15 \* **Sec. 6.** AS 29.71 is amended by adding a new section to read:

16 **Sec. 29.71.070. Use of force reporting requirement.** A municipality that  
17 employs a person as a municipal police officer shall report to the Federal Bureau of  
18 Investigation each incident in which a municipal police officer uses force against a  
19 person.

20 \* **Sec. 7.** AS 44.41.020 is amended by adding a new subsection to read:

21 (h) The Department of Public Safety shall submit to the Federal Bureau of  
22 Investigation a report of each incident in which a state trooper uses force against a  
23 person.

24 \* **Sec. 8.** AS 44.41 is amended by adding a new section to read:

25 **Sec. 44.41.055. Statewide use-of-force report.** The Department of Public  
26 Safety shall prepare a report detailing the information contained in the reports that the  
27 Department of Public Safety and municipalities submitted to the Federal Bureau of  
28 Investigation in the preceding year regarding the use of force. The Department of  
29 Public Safety shall submit the report to the chief clerk of the house of representatives  
30 and the senate secretary not later than December 1 of each year and shall notify the  
31 legislature that the report is available.

1     \* **Sec. 9.** AS 18.65.280(b) is repealed.

2     \* **Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to  
3 read:

4           APPLICABILITY. AS 18.65.285, as amended by sec. 2 of this Act, applies to  
5 employment contracts entered into on or after the effective date of sec. 2 of this Act.

6     \* **Sec. 11.** The uncodified law of the State of Alaska is amended by adding a new section to  
7 read:

8           TRANSITION: EMPLOYMENT. Each person who, on the effective date of sec. 9 of  
9 this Act, is employed as a municipal correctional officer or municipal police officer by a  
10 political subdivision with an established police training program that met the requirements for  
11 exemption under former AS 18.65.280(b), repealed by sec. 9 of this Act, has two years from  
12 the effective date of sec. 9 of this Act to comply with the requirements of AS 18.65.240.

13     \* **Sec. 12.** The uncodified law of the State of Alaska is amended by adding a new section to  
14 read:

15           TRANSITION: REGULATIONS. The Department of Public Safety and a  
16 municipality that employs a person as a municipal police officer shall adopt regulations  
17 necessary to implement secs. 6 - 8 of this Act. The regulations take effect under AS 44.62  
18 (Administrative Procedure Act), but not before the effective date of secs. 6 - 8 of this Act. The  
19 Department of Public Safety and municipalities shall adopt and publish these regulations by  
20 January 1, 2023.

21     \* **Sec. 13.** Section 12 of this Act takes effect immediately under AS 01.10.070(c).

22     \* **Sec. 14.** Except as provided in sec. 13 of this Act, this Act takes effect July 1, 2022.