# SENATE BILL NO. 119

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

**BY SENATOR MYERS**

**Introduced: 3/31/23**
**Referred: State Affairs**

## A BILL

## FOR AN ACT ENTITLED

**"An Act relating to state identifications and driver's licenses for persons in the custody of the Department of Corrections; relating to state identifications issued by the Department of Corrections; relating to the duties of the commissioner of corrections; relating to misconduct involving confidential information; relating to voter identification; relating to identification for fishing permits; relating to identification for debtor financing statements; and providing for an effective date."**

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

*** Section 1.** AS 11.76.115(c) is amended to read:

(c) In this section, "confidential information" includes

(1) information that has been classified confidential by law;

(2) information encoded on an access device, identification card issued under AS 18.65.310 **or AS 33.30.105**, or driver's license.

*** Sec. 2.** AS 15.07.055(e) is amended to read:

(e) The director shall enter into an agreement with the Department of Administration**, the Department of Corrections,** and the Department of Revenue to match identifying information provided by a voter with existing identification records

(1) maintained by the administrative component of the Department of Administration that administers motor vehicle and driver's license laws**, by the administrative component of the Department of Corrections that issues identification cards,** and by the administrative component of the Department of Revenue that administers the permanent fund dividend laws; and

(2) bearing the same identifying number, name, and date of birth provided on the registration.

*** Sec. 3.** AS 16.10.267(c) is amended to read:

(c) Examples of a suitable identification card required under (a)(2) and (d)(2) of this section are a motor vehicle operator's license issued under AS 28.15.111**,** [AND] an identification card issued under AS 18.65.310**, and an identification card issued under AS 33.30.105**.

*** Sec. 4.** AS 33.30.011(a) is amended to read:

(a) The commissioner shall

(1) establish, maintain, operate, and control correctional facilities suitable for the custody, care, and discipline of persons charged or convicted of offenses against the state or held under authority of state law; each correctional facility operated by the state shall be established, maintained, operated, and controlled in a manner that is consistent with AS 33.30.015;

(2) classify prisoners;

(3) for persons committed to the custody of the commissioner, establish programs, including furlough programs that are reasonably calculated to

(A) protect the public and the victims of crimes committed by prisoners;

(B) maintain health;

(C) create or improve occupational skills;

(D) enhance educational qualifications;

(E) support court-ordered restitution; and

(F) otherwise provide for the rehabilitation and reformation of prisoners, facilitating their reintegration into society;

(4) provide necessary

(A) medical services for prisoners in correctional facilities or who are committed by a court to the custody of the commissioner, including examinations for communicable and infectious diseases;

(B) psychological or psychiatric treatment if a physician or other health care provider, exercising ordinary skill and care at the time of observation, concludes that

(i) a prisoner exhibits symptoms of a serious disease or injury that is curable or may be substantially alleviated; and

(ii) the potential for harm to the prisoner by reason of delay or denial of care is substantial; and

(C) assessment or screening of the risks and needs of offenders who may be vulnerable to harm, exploitation, or recidivism as a result of fetal alcohol syndrome, fetal alcohol spectrum disorder, or another brain-based disorder;

(5) establish minimum standards for sex offender treatment programs offered to persons who are committed to the custody of the commissioner;

(6) provide for fingerprinting in correctional facilities in accordance with AS 12.80.060;

(7) establish a program to conduct assessments of the risks and needs of offenders sentenced to serve a term of incarceration of 90 days or more; the program must include a requirement for an assessment before a prisoner's release on parole, furlough, or electronic monitoring from a correctional facility;

(8) establish a procedure that provides for each prisoner required to serve an active term of imprisonment of 90 days or more a written case plan that

(A) takes effect and is provided to the prisoner within 90 days after sentencing;

(B) is based on the results of the assessment of the prisoner's risks and needs under (7) of this subsection;

(C) includes a requirement to follow the rules of the institution;

(D) is modified when necessary for changes in classification, housing status, medical or mental health, and resource availability;

(E) includes participation in programming that addresses the needs identified in the assessment;

(9) establish a program to begin reentry planning with each prisoner serving an active term of imprisonment of 90 days or more; reentry planning must begin at least 90 days before release on furlough or probation or parole; the reentry program must include

(A) a written reentry plan for each prisoner completed upon release on furlough or probation or parole that includes information on the prisoner's proposed

(i) residence;

(ii) employment or alternative means of support;

(iii) treatment options;

(iv) counseling services;

(v) education or job training services;

(B) any other requirements for successful transition back to the community, including electronic monitoring or furlough for the period between a scheduled parole hearing and parole eligibility;

(C) coordination with the Department of Labor and Workforce Development to provide access, after release, to job training and employment assistance; and

(D) coordination with community reentry coalitions or other providers of reentry services if available;

(10) for offenders under electronic monitoring, establish

(A) minimum standards for electronic monitoring, which may include the requirement of active, real-time monitoring using global positioning systems; and

(B) procedures for oversight and approving electronic monitoring programs and systems provided by private contractors;

(11) **ensure** [ASSIST] a prisoner **has** [IN OBTAINING] a valid state identification card **upon the prisoner's release;** if the prisoner does not have a valid state identification card before the prisoner's release**,** [;] the department shall **issue the prisoner a valid state identification card under AS 33.30.105 and** pay the application fee for **an** [THE] identification card **issued under AS 18.65.310**;

(12) provide to the legislature, by electronic means, by January 10 preceding the first regular session of each legislature, a report summarizing the findings and results of the program established under (7) of this subsection; the report must include

(A) the number of prisoners who were provided with written case plans under (8) of this subsection;

(B) the number of written case plans under (8) of this subsection initiated within the preceding year; and

(C) the number of written case plans under (8) of this subsection that were updated in the preceding year; and

(13) enter into an agreement with the Department of Family and Community Services, consistent with the provisions of AS 47.12.105, for the detention and care of a minor who is waived into adult court under AS 47.12.030 or 47.12.100.

*** Sec. 5.** AS 33.30 is amended by adding a new section to read:

**Sec. 33.30.105. Identification cards.** (a) The department shall issue an identification card identical to the motor vehicle operator's license provided for in AS 28.15.111, except that the card must be a different color and shall state in bold type letters on its face that it is for identification purposes only. The department may only issue an identification card to a prisoner before the prisoner's release. The identification card must display

(1) a distinguishing number assigned to the identification card;

(2) the prisoner's full name, date of birth, brief physical description, and photograph;

(3) either a facsimile of the signature of the prisoner or a space on which the prisoner must write the prisoner's usual signature with pen and ink;

(4) physical security features designed to prevent tampering, counterfeiting, or duplication of the document for fraudulent purposes;

(5) for a qualified prisoner who is under 21 years of age, the words "UNDER 21"; and

(6) a statement that the identification card is not a valid identification card for the purpose of purchasing alcoholic beverages.

(b) An identification card may not display the prisoner's social security number and is not valid until signed by the prisoner. If facilities are not available for the taking of the photograph required under this section, the department shall endorse on the identification card the words "valid without photograph."

(c) An identification card issued under this section expires 180 days after issuance, or, if issued to a person under 21 years of age, 90 days after the person reaches 21 years of age, whichever occurs first.

(d) A person may not

(1) knowingly make a fraudulent written statement or application for an identification card concerning age, race, sex, or other identifying characteristics as required by the department;

(2) possess, use, produce, or manufacture a fraudulent identification card;

(3) allow an identification card issued to that person to be used by another person.

(e) A person who violates (d) of this section is guilty of a misdemeanor punishable by a fine of $500 or 60 days in jail, or both.

*** Sec. 6.** AS 45.29.503(a) is amended to read:

(a) A financing statement sufficiently provides the name of the debtor

(1) except as otherwise provided in (3) of this subsection, if the debtor is a registered organization or the collateral is held in a trust that is a registered organization, only if the financing statement provides the name that is stated to be the registered organization's name on the public organic record most recently filed with or issued or enacted by the registered organization's jurisdiction of organization that purports to state, amend, or restate the registered organization's name;

(2) subject to (f) of this section, if the collateral is being administered by the personal representative of a decedent, only if the financing statement provides, as the name of the debtor, the name of the decedent and, in a separate part of the financing statement, indicates that the collateral is being administered by a personal representative;

(3) if the collateral is held in a trust that is not a registered organization, only if the financing statement

(A) provides, as the name of the debtor,

(i) if the organic record of the trust specifies a name for the trust, the name specified; or

(ii) if the organic record of the trust does not specify a name for the trust, the name of the settlor or testator; and

(B) in a separate part of the financing statement,

(i) if the name is provided in accordance with (A)(i) of this paragraph, indicates that the collateral is held in a trust; or

(ii) if the name is provided in accordance with (A)(ii) of this paragraph, provides additional information sufficient to distinguish the trust from other trusts having one or more of the same settlors or the same testator and indicates that the collateral is held in a trust, unless the additional information so indicates;

(4) if the debtor is an individual, only if the financing statement provides

(A) the individual name of the debtor;

(B) the surname and first personal name of the debtor; or

(C) subject to (g) of this section, the name of the individual that is indicated on an unexpired driver's license that this state has issued to the individual or on an unexpired identification card issued to the individual under AS 18.65.310 **or AS 33.30.105**; and

(5) in other cases, if the debtor

(A) has a name, only if the financing statement provides the organizational name of the debtor; and

(B) does not have a name, only if the financing statement provides the names of the partners, members, associates, or other persons of which the debtor is composed, in a manner that each name provided would be sufficient if the person named were the debtor.

*** Sec. 7.** AS 45.29.503(g) is amended to read:

(g) If this state has issued to an individual more than one driver's license, more than one identification card under AS 18.65.310 **or AS 33.30.105**, or both an identification card under AS 18.65.310 **or AS 33.30.105** and a driver's license, the driver's license or identification card that was issued the most recently is the one to which (a)(4)(C) of this section refers.

*** Sec. 8.** This Act takes effect January 1, 2024.