



LAWS OF ALASKA

1990

Source

SCS CSHB 52(Fin)

Chapter No.

7

AN ACT

Relating to access by an interested person to criminal records of all felony convictions, convictions involving contributing to the delinquency of a minor, and convictions involving sex crimes of certain persons; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1 LINE 12

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: February 17, 1990
Actual Effective Date: February 18, 1990

AN ACT

Relating to access by an interested person to criminal records of all felony convictions, convictions involving contributing to the delinquency of a minor, and convictions involving sex crimes of certain persons; and providing for an effective date.

* Section 1. AS 12.62.035(a) is amended to read:

(a) An [NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN] interested person [AS DEFINED IN (e) OF THIS SECTION] may request from the Department of Public Safety [COMMISSION] records of all felony convictions, convictions involving contributing to the delinquency of a minor, and convictions involving any sex crimes of a person who holds or applies for a position of employment in which the person has or would have supervisory or disciplinary power over a minor or dependent adult. The Department of Public Safety [COMMISSION] shall disclose [AUTHORIZE THE DISCLOSURE OF] the information to the requesting interested person and shall provide a copy of the information to the person who is the subject of the request.

* Sec. 2. AS 12.62.035(e) is amended to read:

(e) As used in this section

(1) "contributing to the delinquency of a minor" means a conviction for a violation or attempted violations of AS 11.51.-130(a)(1), (3), or (5); former AS 11.40.130; or the laws of another jurisdiction if the offense would have been a crime in this state

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1 under AS 11.51.130(a)(1), (3), or (5) or former AS 11.40.130 if com-
2 mitted in the state;

3 (2) "dependent adult" means an adult with a physical or
4 mental disability who requires assistance or supervision with the
5 activities of daily living;

6 (3) "interested person" means a corporation, company,
7 partnership, firm, association, organization, business trust, or
8 society, as well as a natural person, that employs or solicits the
9 employment of a person to serve with or without compensation in a
10 position in which the person has or would have supervisory or disci-
11 plinary power over a minor or dependent adult;

12 (4) [(3)] "sex crime" means a conviction for a violation or
13 attempted violation of AS 11.41.410 - 11.41.470, AS 11.61.110(a)(7),
14 or AS 11.66.100 - 11.66.130; former AS 11.15.120, 11.15.134, or 11.-
15 15.160; former AS 11.40.080, 11.40.110, 11.40.130, or 11.40.200 -
16 11.40.420; or the laws of another jurisdiction if the offense would
17 have been a crime in this state under one of the sections listed in
18 this paragraph if committed in the state.

19 * Sec. 3. AS 12.62.035 is amended by adding a new subsection to read:

20 (f) The Department of Education shall request and receive re-
21 cords under (a) of this section for a person seeking initial certifi-
22 cation as a teacher or administrator.

23 * Sec. 4. The Department of Education shall request and receive records
24 under AS 12.62.035(a) as amended in sec. 1 of this Act, for a person who
25 renews the person's certification as a teacher or administrator, if the
26 department did not request and receive records for the person when the
27 person was initially certified. This section applies only to the first
28 renewal of certification of a teacher or administrator after the effective
29 date of this Act.

* Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

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