

**HOUSE BILL NO. 104**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES KOTT, Bunde, Green

Introduced: 1/20/95

Referred: Health, Education and Social Services, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to disclosures of information about certain minors."

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

3 \* **Section 1.** AS 47.10.093(a) is amended to read:

4 (a) The [EXCEPT AS SPECIFIED IN AS 47.10.092 AND (b) - (f) OF THIS  
5 SECTION, ALL] information and social records pertaining to a minor who is subject  
6 to this chapter or AS 47.17 prepared by or in the possession of a federal, state, or  
7 municipal agency or employee in the discharge of the agency's or employee's official  
8 duty, including driver's license actions under AS 28.15.185, are privileged and may  
9 not be disclosed directly or indirectly to anyone without a court order. **However, the**  
10 **provisions of this subsection do not apply to**

11 **(1) the parental right to disclose information about a minor**  
12 **authorized by AS 47.10.092;**

13 **(2) disclosures of information authorized by (b) - (f) and (h) of this**  
14 **section.**

15 \* **Sec. 2.** AS 47.10.093(b) is amended to read:

1 (b) A state or municipal agency or employee may disclose  
2 (1) to the public the following information regarding the  
3 adjudication of a minor as a delinquent if the minor was 14 years of age or older  
4 at the time of the adjudication and the adjudication was based upon the minor's  
5 commission of an offense that would be a felony if committed by an adult:

6 (A) the name of the minor;

7 (B) the address of the minor; and

8 (C) the offense that the minor committed;

9 (2) information regarding a case to

10 (A) [(1)] a guardian ad litem appointed by the court or to a  
11 citizen review panel for permanency planning authorized by AS 47.10.400 or  
12 47.10.420;

13 (B) [(2)] a person or an agency requested to provide  
14 consultation or services for a minor who is subject to the jurisdiction of the  
15 court under AS 47.10.010;

16 (C) [(3)] school officials as may be necessary to protect the  
17 safety of school students and staff;

18 (D) [(4)] a governmental agency as may be necessary to obtain  
19 that agency's assistance for the department in its investigation or to obtain  
20 physical custody of a child;

21 (E) [(5)] a state or municipal law enforcement agency as may  
22 be necessary for a specific investigation being conducted by that agency or for  
23 disclosures by that agency to protect the public safety; and

24 (F) [(6)] a victim as may be necessary to inform the victim  
25 about the disposition or resolution of a case involving a minor.

26 \* Sec. 3. AS 47.10.093(c) is amended to read:

27 (c) A state or municipal law enforcement agency

28 (1) shall disclose information regarding a case that is needed by the  
29 person or agency charged with making a preliminary investigation for the information  
30 of the court under AS 47.10.020;

31 (2) may disclose to the public information regarding a criminal offense

1 in which a minor is a suspect, victim, or witness if the minor is not identified by the  
2 disclosure;

3 (3) as to a school that is attended by a minor who is subject to  
4 AS 47.10.010 - 47.10.142,

5 (A) shall notify the principal of the school attended by the  
6 minor and [MAY] disclose to that school official information about an  
7 incident occurring within the agency's jurisdiction if the law enforcement  
8 agency has probable cause to believe that the minor has committed an  
9 offense that would be a crime against a person under AS 11.41 if  
10 committed as an adult; and

11 (B) may notify the principal of the school attended by the  
12 minor and disclose to that school official other [OFFICIALS] information  
13 regarding a case as may be necessary to protect the safety of school students  
14 and staff;

15 (4) may, when authorized by a court order, disclose to the public  
16 information regarding a case involving a minor and a picture of the minor, as may  
17 be necessary to protect the safety of the public; and

18 (5) may disclose to a victim information, including copies of reports,  
19 as necessary for civil litigation or insurance claims pursued by or against the victim.

20 \* **Sec. 4.** AS 47.10.093 is amended by adding new subsections to read:

21 (h) When information or a record is disclosed to a school principal under  
22 (c)(3) of this section, the school principal may disclose the information only to persons  
23 employed by that school district or to the chief administrative officer of a school  
24 district to which the minor transfers.

25 (i) In (c) and (h) of this section, "school" means a public or private elementary  
26 or secondary school.