

**HOUSE BILL NO. 339**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES ROKEBERG, Mulder, Robinson**

**Introduced: 5/8/95**

**Referred: Health, Education and Social Services, State Affairs, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the termination of parental rights of incarcerated parents."**

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

3 **\* Section 1.** AS 47.10.080 is amended by adding a new subsection to read:

4 (o) For purposes of terminating parental rights under (c)(3) of this section, the  
5 court may determine that a minor is a child in need of aid under AS 47.10.010(a)(2)  
6 as a result of parental conduct and that the conduct is likely to continue if there is no  
7 termination of parental rights if the court finds, based on clear and convincing  
8 evidence, that the

9 (1) parent is incarcerated as the result of a voluntary act committed by  
10 the parent;

11 (2) period of incarceration imposed includes a significant portion of  
12 the child's minority; and

13 (3) parent has failed to make adequate provisions for care of the child  
14 during the period of incarceration.