

SENATE BILL NO. 326

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY SENATOR WARD

Introduced: 2/16/98

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the requirements for the registration of sex offenders; and
2 providing for an effective date."

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

4 * **Section 1.** AS 12.63.010(a) is amended to read:

5 (a) A sex offender who is physically present in the state shall register as
6 provided in this section. The sex offender shall register [WITHIN]

7 (1) **at least 10** [SEVEN] days **before** [OF] release from an in-state
8 correctional facility;

9 (2) **within 24 hours** [SEVEN DAYS] of conviction for a sex offense
10 if the sex offender is not sentenced to a term of incarceration; or

11 (3) **within** 14 days of becoming physically present in the state, except
12 the sex offender shall register within seven days of becoming physically present in the
13 state if the sex offender

14 (A) is a probationer or parolee being supervised by the state as

1 the receiving state under AS 33.36.110 - 33.36.120; or

2 (B) has been released from an out-of-state correctional facility
3 where the sex offender was serving a term of incarceration for a sex offense
4 conviction in this state.

5 * **Sec. 2.** AS 12.63.010(b) is amended to read:

6 (b) **A sex offender required to register under (a)(1) of this section shall**
7 **register with the Department of Corrections.** A sex offender required to register
8 under **(a)(2) or (3)** [(a)] of this section shall register in person at the Alaska state
9 trooper post or municipal police department located nearest to where the sex offender
10 resides at the time of registration. To fulfill the registration requirement, the sex
11 offender shall

12 (1) complete a registration form that includes, at a minimum, the sex
13 offender's name, address, place of employment, date of birth, each conviction for a sex
14 offense for which the duty to register has not terminated under AS 12.63.020, date of
15 sex offense convictions, place and court of sex offense convictions, all aliases used,
16 and driver's license number;

17 (2) allow the **Department of Corrections**, Alaska state troopers, or
18 municipal police to take a complete set of the sex offender's fingerprints and to take
19 the sex offender's photograph.

20 * **Sec. 3.** AS 18.65.087(d) is amended to read:

21 (d) The Department of Public Safety

22 (1) shall adopt regulations to

23 (A) allow a sex offender to review sex offender registration
24 information that refers to that sex offender [,] and, if the sex offender believes
25 the information is inaccurate or incomplete, to request the department to correct
26 the information; if the department finds the information is inaccurate or
27 incomplete, the department shall correct or supplement the information;

28 (B) ensure the appropriate circulation to law enforcement
29 agencies of information contained in the central registry;

30 (2) shall provide to **the Department of Corrections and** municipal
31 police departments the forms and directions necessary to allow sex offenders to comply

1 with AS 12.63.010;

2 (3) may adopt regulations to establish fees to be charged for registration
3 under AS 12.63.010 and for information requests; the fee for registration shall be based
4 upon the actual costs of performing the registration and maintaining the central registry
5 but may not be set at a level whereby registration is discouraged; the fee for an
6 information request may not be greater than \$10;

7 (4) shall remove from the central registry of sex offenders under this
8 section information about a sex offender required to register under AS 12.63.020(a)(2)
9 at the end of the sex offender's duty to register if the offender has not been convicted
10 of another sex offense; in this paragraph, "sex offense" has the meaning given in
11 AS 12.63.100.

12 * **Sec. 4.** AS 18.65.087(a) is amended to read:

13 (a) The Department of Public Safety shall maintain a central registry of sex
14 offenders required to register under AS 12.63.010 and shall adopt regulations necessary
15 to carry out the purposes of this section and AS 12.63. **The Department of**
16 **Corrections, a** [A] post of the Alaska state troopers, or a municipal police department
17 that receives information under AS 12.63.010 shall forward the information within five
18 working days of receipt to the central registry of sex offenders.

19 * **Sec. 5.** AS 33.30.035 is amended to read:

20 **Sec. 33.30.035. Registration of and notice [NOTICE] to sex offenders of**
21 **registration requirement.** The department shall, **under AS 12.63.010, register sex**
22 **offenders to be released from a state correctional facility. The department shall**
23 provide written notice to a sex offender of the registration requirements of
24 AS 12.63.010 [,] and shall obtain a signed acknowledgement of receipt of notice from
25 the sex offender

26 (1) at the time of the sex offender's release from a state correctional
27 facility;

28 (2) immediately after taking supervision of a sex offender under the
29 Interstate Corrections Compact or AS 33.36.110.

30 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).