

CS FOR HOUSE BILL NO. 180(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 2/7/00

Referred: Rules

Sponsor(s): REPRESENTATIVES COWDERY, Dyson, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the possession, manufacture, use, display, or delivery of
2 controlled substances while children are present."

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

4 * **Section 1.** AS 11.51.130(a) is amended to read:

5 (a) A person commits the crime of contributing to the delinquency of a minor
6 if, being 19 years of age or older or being under 19 years of age and having the
7 disabilities of minority removed for general purposes under AS 09.55.590, the person
8 aids, induces, causes, or encourages a child

9 (1) under 18 years of age to do any act prohibited by state law unless
10 the child's disabilities of minority have been removed for general purposes under
11 AS 09.55.590;

12 (2) under 18 years of age **or allows a child under 18 years of age** to
13 enter or remain in the **immediate physical presence of** [SAME ROOM IN A
14 BUILDING WHERE] the unlawful **possession, manufacture, use, display, or**

1 delivery [SALE] of a controlled substance knowing that the possession,
2 manufacture, use, display, or delivery is occurring, [DRUG OCCURS] unless the
3 child's disabilities of minority have been removed for general purposes under
4 AS 09.55.590;

5 (3) under 16 years of age to be repeatedly absent from school, without
6 just cause; or

7 (4) under 18 years of age to be absent from the custody of a parent,
8 guardian, or custodian without the permission of the parent, guardian, or custodian or
9 without the knowledge of the parent, guardian, or custodian, unless the child's
10 disabilities of minority have been removed for general purposes under AS 09.55.590
11 or the person has immunity under AS 47.10.350 or 47.10.398(a); it is an affirmative
12 defense to a prosecution under this paragraph that, at the time of the alleged offense,
13 the defendant

14 (A) reasonably believed that the child was in danger of physical
15 injury or in need of temporary shelter; and

16 (B) within 12 hours after taking the actions comprising the
17 alleged offense, notified a peace officer, a law enforcement agency, or the
18 Department of Health and Social Services of the name of the child and the
19 child's location.