



LAWS OF ALASKA

2000

Source
CSHB 294(JUD)

Chapter No.
44

AN ACT

Relating to violations of an order to submit to deoxyribonucleic acid (DNA) testing, to court orders and conditions of parole to collect samples for DNA testing, to removal of material from the DNA identification registration system; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: May 11, 2000
Actual Effective Date: May 12, 2000

AN ACT

1 Relating to violations of an order to submit to deoxyribonucleic acid (DNA) testing, to court
2 orders and conditions of parole to collect samples for DNA testing, to removal of material from
3 the DNA identification registration system; and providing for an effective date.

4

5 * Section 1. AS 11.56.760(a) is amended to read:

6 (a) A person commits the crime of violating an order to submit to DNA testing
7 if, when requested by a health care professional acting on behalf of the state to provide
8 a blood sample, oral sample, or both, or when requested by a juvenile or adult
9 correctional, probation, or parole officer or a peace officer to provide an oral
10 sample, the person refuses to provide the sample or samples and the person has been

11 (1) ordered to submit to DNA testing as part of a sentence imposed
12 under AS 12.55.015; or

13 (2) convicted of an offense that requires DNA testing under the

Chapter 44

1 provisions of AS 44.41.035.

2 * Sec. 2. AS 12.55.015(h) is amended to read:

3 (h) In addition to penalties authorized by this section, the court shall order a
4 person convicted of an offense requiring the state to collect a blood sample, oral
5 sample, or both, for the deoxyribonucleic acid identification registration system under
6 AS 44.41.035 to submit to the collection of

7 (1) the sample or samples when requested by a health care professional
8 acting on behalf of the state to provide the sample or samples; or

9 (2) an oral sample when requested by a juvenile or adult
10 correctional, probation, or parole officer, or a peace officer.

11 * Sec. 3. AS 12.55.100(d) is amended to read:

12 (d) If the court orders probation for a defendant convicted of an offense
13 requiring the state to collect a blood sample, oral sample, or both, from the defendant
14 for the deoxyribonucleic acid identification registration system under AS 44.41.035,
15 the court shall order the defendant, as a condition of probation, to submit to the
16 collection of

17 (1) the sample or samples when requested by a health care professional
18 acting on behalf of the state to provide the sample or samples; or

19 (2) an oral sample when requested by a juvenile or adult
20 correctional, probation, or parole officer, or a peace officer.

21 * Sec. 4. AS 33.16.150(a)(12) is amended to read:

22 (12) shall provide a blood sample, an oral sample, or both, when
23 requested by a health care professional acting on behalf of the state to provide the
24 sample or samples, or an oral sample when requested by a juvenile or adult
25 correctional, probation, or parole officer, or a peace officer, if the prisoner is being
26 released after a conviction of an offense requiring the state to collect the sample or
27 samples for the deoxyribonucleic acid identification system under AS 44.41.035.

28 * Sec. 5. AS 44.41.035(i) is amended to read:

29 (i) The Department of Public Safety shall, upon receipt of a court order,
30 destroy the material in the system relating to a person. The court shall issue the
31 order if it determines that [IF]

1 (1) the conviction or adjudication that subjected the person to having
2 a sample taken under this section is reversed; and

3 (2) the person

4 (A) is not retried or readjudicated for the crime; or

5 (B) after retrial, is acquitted of the crime or after readjudication
6 for the crime is not found to be a delinquent.

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