

HOUSE BILL NO. 328

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE COGHILL

Introduced: 2/2/00

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to child-in-need-of-aid proceedings; and providing for an effective**
2 **date."**

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

4 *** Section 1.** AS 47.10 is amended by adding a new section to read:

5 **Sec. 47.10.965. Damages for defamation.** A state employee who knowingly
6 participates in the preparation of a petition alleging that a child is a child in need of
7 aid, knowing that the petition is based on false allegations about the actions or
8 omissions of the child's parent or guardian, is civilly liable to the parent or guardian
9 for damages for defamation.

10 *** Sec. 2.** AS 47.17.040 is amended to read:

11 **Sec. 47.17.040. Central registry; confidentiality.** (a) The department shall
12 maintain a central registry of all investigation reports **and** [BUT NOT OF THE]
13 reports of harm.

14 (b) Investigation reports [AND REPORTS OF HARM FILED] under this

1 chapter are considered confidential and are not subject to public inspection and
2 copying under AS 09.25.110 and 09.25.120. However, in accordance with department
3 regulations, investigation reports may be used by appropriate governmental agencies
4 with child-protection functions, inside and outside the state, in connection with
5 investigations or judicial proceedings involving child abuse, neglect, or custody. A
6 person, not acting in accordance with department regulations, who with criminal
7 negligence makes public information contained in confidential reports is guilty of a
8 class B misdemeanor.

9 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section
10 to read:

11 APPLICABILITY. (a) AS 47.10.965, enacted by sec. 1 of this Act, applies to
12 petitions submitted to a court on or after the effective date of this Act.

13 (b) AS 47.17.040, as amended by sec. 2 of this Act, applies to reports of harm made
14 to the Department of Health and Social Services on or after the effective date of this Act.