

HOUSE BILL NO. 180

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MCGUIRE, Murkowski, Dyson, Croft

Introduced: 3/13/01

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring child services providers to obtain criminal background checks for**
2 **child services workers."**

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

4 *** Section 1.** AS 47.18 is amended by adding a new section to read:

5 **Article 4A. Child Services Workers.**

6 **Sec. 47.18.250. Criminal background check required.** (a) A child services
7 provider may not employ, appoint, retain, or use the volunteer services of an
8 individual as a child services worker unless the provider has, within the previous 365
9 days, received a report of state criminal justice information available to an interested
10 person under AS 12.62.160 for the individual that was prepared by the Department of
11 Public Safety and the report did not show any current offender information or past
12 conviction information involving a serious offense.

13 (b) A child services provider may not request state criminal justice
14 information under this section unless the individual seeking to be a child services

1 worker provides

2 (1) a completed application for the state criminal justice information
3 that contains the name, address, and date of birth of the individual;

4 (2) a signed statement by the individual that

5 (A) the application is that of the individual; and

6 (B) the individual has not been convicted of a serious crime, or,
7 if the individual has been convicted of a serious crime, the statement must
8 provide a description of the crime and the details of the conviction; and

9 (3) an acknowledgment that the individual has been notified by the
10 child services provider that state criminal justice information will be requested, that
11 the individual may receive a copy of the information, and that the individual may have
12 the right to challenge the information as provided in (c) of this section.

13 (c) Upon request of an individual who is the subject of a report of state
14 criminal justice information under this section, the child services provider shall
15 provide to the individual a copy of the transcript received under this section pertaining
16 to the individual. The individual may challenge the accuracy and completeness of the
17 transcript in the manner provided in AS 12.62.

18 (d) In this section,

19 (1) "child services" means the care, treatment, education, training,
20 instruction, supervision, or recreation of children under 18 years of age;

21 (2) "child services worker" means an individual who serves with or
22 without compensation in a position in which the individual has or may have
23 unsupervised access to a minor on more than a sporadic basis;

24 (3) "current offender information" has the meaning given in
25 AS 12.62.900;

26 (4) "past conviction information" has the meaning given in
27 AS 12.62.900;

28 (5) "provider" means a business, organization, or other entity, whether
29 public, private, for profit, not for profit, or voluntary, that provides child services;

30 (6) "serious offense" has the meaning given in AS 12.62.900.