

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 120**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES COGHILL, McGuire**

**Introduced: 3/14/01**

**Referred: Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act adopting the National Crime Prevention and Privacy Compact; making**  
2 **criminal justice information available to interested persons and criminal history record**  
3 **information available to the public; making certain conforming amendments; and**  
4 **providing for an effective date."**

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

6 **\* Section 1.** AS 12.62.160(b) is amended to read:

7 (b) Subject to the requirements of this section, and except as otherwise limited  
8 or prohibited by other provision of law or court rule, criminal justice information  
9 [MAY BE RELEASED BY A CRIMINAL JUSTICE AGENCY AS FOLLOWS:]

10 (1) [AN ASSESSMENT OR SUMMARY OF CRIMINAL JUSTICE  
11 INFORMATION] may be provided to a person when, and only to the extent,  
12 necessary to avoid imminent danger to life or extensive damage to property;

13 (2) [CRIMINAL JUSTICE INFORMATION] may be provided to a  
14 person to the extent required by applicable court rules or under an order of a court of

1 this state, another state, or the United States;

2 (3) [CRIMINAL JUSTICE INFORMATION] may be provided to a  
3 person if the information is commonly or traditionally provided by criminal justice  
4 agencies in order to identify, locate, or apprehend fugitives or wanted persons or to  
5 recover stolen property, or for public reporting of recent arrests, charges, and other  
6 criminal justice activity;

7 (4) [CRIMINAL JUSTICE INFORMATION] may be provided to a  
8 criminal justice agency for a criminal justice activity;

9 (5) [CRIMINAL JUSTICE INFORMATION] may be provided to a  
10 government agency **when** [TO THE EXTENT] necessary for enforcement of or for a  
11 purpose specifically authorized by state or federal law;

12 (6) [CRIMINAL JUSTICE INFORMATION] may be provided to a  
13 person specifically authorized by a state or federal law to receive **that** [SUCH]  
14 information;

15 (7) [CRIMINAL JUSTICE INFORMATION] in aggregate form may  
16 be released to a qualified person, as determined by the agency, for criminal justice  
17 research, subject to written conditions that assure the security of the information and  
18 the privacy of individuals to whom the information relates;

19 (8) [CURRENT OFFENDER INFORMATION] may be provided to a  
20 person for any purpose, except that information may not be released if the [RELEASE  
21 OF THE] information **is nonconviction information or correctional treatment**  
22 **information** [WOULD UNREASONABLY COMPROMISE THE PRIVACY OF A  
23 MINOR OR VULNERABLE ADULT];

24 (9) PAST CONVICTION INFORMATION MAY BE PROVIDED  
25 TO A PERSON FOR ANY PURPOSE IF LESS THAN 10 YEARS HAS ELAPSED  
26 FROM THE DATE OF UNCONDITIONAL DISCHARGE TO THE DATE OF THE  
27 REQUEST];

28 **(9) including** [(10) PAST CONVICTION] information relating to a  
29 serious offense, may be provided to an interested person if the information is  
30 requested for the purpose of determining whether to grant a person supervisory or  
31 disciplinary power over a minor or dependent adult; and

1                    **(10)** [(11) CRIMINAL JUSTICE INFORMATION] may be provided  
 2                    to the person who is the subject of the information.

3                    \* **Sec. 2.** AS 12 is amended by adding a new chapter to read:

4                    **Chapter 64. National Crime Prevention and Privacy Compact.**

5                    **Sec. 12.64.010. Compact enacted.** The National Crime Prevention and  
 6                    Privacy Compact as contained in this section is enacted into law and entered into on  
 7                    behalf of the State of Alaska with any other states legally joining in it in a form  
 8                    substantially as follows:

9                    The contracting parties agree to the following:

10                    OVERVIEW

11                    (a) In general. This Compact organizes an electronic information sharing  
 12                    system among the federal government and the states to exchange criminal history  
 13                    records for noncriminal justice purposes authorized by federal or state law, such as  
 14                    background checks for governmental licensing and employment.

15                    (b) Obligations of parties. Under this Compact, the FBI and the party states  
 16                    agree to maintain detailed databases of their respective criminal history records,  
 17                    including arrests and dispositions, and to make them available to the federal  
 18                    government and to party states for authorized purposes. The FBI shall also manage  
 19                    the federal data facilities that provide a significant part of the infrastructure for the  
 20                    system.

21                    ARTICLE I. DEFINITIONS

22                    In this Compact, unless the context clearly requires otherwise:

23                    (1) "attorney general" means the attorney general of the United States;

24                    (2) "Compact officer" means

25                    (A) with respect to the federal government, an official so  
 26                    designated by the director of the FBI; and

27                    (B) with respect to a party state, the chief administrator of the  
 28                    state's criminal history record repository or a designee of the chief  
 29                    administrator who is a regular full-time employee of the repository;

30                    (3) "council" means the Compact Council established under Article

31                    VI;

1 (4) "criminal history records"

2 (A) means information collected by criminal justice agencies  
3 on individuals consisting of identifiable descriptions and notations of arrests,  
4 detentions, indictments, or other formal criminal charges, and any disposition  
5 arising therefrom, including acquittal, sentencing, correctional supervision, or  
6 release; and

7 (B) does not include identification information such as  
8 fingerprint records if such information does not indicate involvement of the  
9 individual with the criminal justice system;

10 (5) "criminal history record repository" means the state agency  
11 designated by the governor or other appropriate executive official or the legislature of  
12 a state to perform centralized record keeping functions for criminal history records and  
13 services in the state;

14 (6) "criminal justice" includes activities relating to the detection,  
15 apprehension, detention, pretrial release, post-trial release, prosecution, adjudication,  
16 correctional supervision, or rehabilitation of accused persons or criminal offenders; the  
17 administration of criminal justice includes criminal identification activities and the  
18 collection, storage, and dissemination of criminal history records;

19 (7) "criminal justice agency" means

20 (A) courts;

21 (B) a governmental agency or any subunit thereof that

22 (i) performs the administration of criminal justice  
23 pursuant to a statute or executive order; and

24 (ii) allocates a substantial part of its annual budget to  
25 the administration of criminal justice; and

26 (C) federal and state inspectors general offices;

27 (8) "criminal justice services" means services provided by the FBI to  
28 criminal justice agencies in response to a request for information about a particular  
29 individual or as an update to information previously provided for criminal justice  
30 purposes;

31 (9) "criterion offense" means any felony or misdemeanor offense not

1 included on the list of nonserious offenses published periodically by the FBI;

2 (10) "direct access" means access to the National Identification Index  
3 by computer terminal or other automated means not requiring the assistance of or  
4 intervention by any other party or agency;

5 (11) "executive order" means an order of the President of the United  
6 States or the chief executive officer of a state that has the force of law and that is  
7 promulgated in accordance with applicable law;

8 (12) "FBI" means the Federal Bureau of Investigation;

9 (13) "Interstate Identification Index System" or "III System"

10 (A) means the cooperative federal-state system for the  
11 exchange of criminal history records;

12 (B) includes the National Identification Index, the National  
13 Fingerprint File, and to the extent of their participation in such system, the  
14 criminal history record repositories of the states and the FBI;

15 (14) "National Fingerprint File" means a database of fingerprints, or  
16 other uniquely personal identifying information, relating to an arrested or charged  
17 individual maintained by the FBI to provide positive identification of record subjects  
18 indexed in the III System;

19 (15) "National Identification Index" means an index maintained by the  
20 FBI consisting of names, identifying numbers, and other descriptive information  
21 relating to record subjects about whom there are criminal history records in the III  
22 System;

23 (16) "national indices" means the National Identification Index and the  
24 National Fingerprint File;

25 (17) "nonparty state" means a state that has not ratified this Compact;

26 (18) "noncriminal justice purposes" means uses of criminal history  
27 records for purposes authorized by federal or state law other than purposes relating to  
28 criminal justice activities, including employment suitability, licensing determinations,  
29 immigration and naturalization matters, and national security clearances;

30 (19) "party state" means a state that has ratified this Compact;

31 (20) "positive identification" means a determination, based upon a

1 comparison of fingerprints or other equally reliable biometric identification  
 2 techniques, that the subject of a record search is the same person as the subject of a  
 3 criminal history record or records indexed in the III System; identifications based  
 4 solely upon a comparison of subjects' names or other nonunique identification  
 5 characteristics or numbers, or combinations thereof, shall not constitute positive  
 6 identification;

7 (21) "sealed record information" means

8 (A) with respect to adults, that portion of a record that is

9 (i) not available for criminal justice uses;

10 (ii) not supported by fingerprints or other accepted  
 11 means of positive identification; or

12 (iii) subject to restrictions on dissemination for  
 13 noncriminal justice purposes pursuant to a court order related to a  
 14 particular subject or pursuant to a federal or state statute that requires  
 15 action on a sealing petition filed by a particular record subject; and

16 (B) with respect to juveniles, whatever each state determines is  
 17 a sealed record under its own law and procedure;

18 (22) "state" means any state, territory, or possession of the United  
 19 States, the District of Columbia, and the Commonwealth of Puerto Rico.

## 20 ARTICLE II. PURPOSES

21 The purposes of this Compact are to

22 (1) provide a legal framework for the establishment of a cooperative  
 23 federal-state system for the interstate and federal-state exchange of criminal history  
 24 records for noncriminal justice uses;

25 (2) require the FBI to permit use of the National Identification Index  
 26 and the National Fingerprint File by each party state, and to provide, in a timely  
 27 fashion, federal and state criminal history records to requesting states, in accordance  
 28 with the terms of this Compact and with rules, procedures, and standards established  
 29 by the council under Article VI;

30 (3) require party states to provide information and records for the  
 31 National Identification Index and the National Fingerprint File and to provide criminal

1 history records, in a timely fashion, to criminal history record repositories of other  
 2 states and the federal government for noncriminal justice purposes, in accordance with  
 3 the terms of this Compact and with rules, procedures, and standards established by the  
 4 council under Article VI;

5 (4) provide for the establishment of a council to monitor the III System  
 6 operations and to prescribe system rules and procedures for the effective and proper  
 7 operation of the III System for noncriminal justice purposes; and

8 (5) require the FBI and each party state to adhere to III System  
 9 standards concerning record dissemination and use, response times, system security,  
 10 data quality, and other duly established standards, including those that enhance the  
 11 accuracy and privacy of such records.

### 12 ARTICLE III. RESPONSIBILITIES OF COMPACT PARTIES

13 (a) FBI responsibilities. The director of the FBI shall

14 (1) appoint an FBI Compact officer who shall

15 (A) administer this Compact within the Department of Justice  
 16 and among federal agencies and other agencies and organizations that submit  
 17 search requests to the FBI pursuant to Article V(c);

18 (B) ensure that Compact provisions and rules, procedures, and  
 19 standards prescribed by the council under Article VI are complied with by the  
 20 Department of Justice and the federal agencies and other agencies and  
 21 organizations referred to in Article III(1)(A); and

22 (C) regulate the use of records received by means of the III  
 23 System from party states when such records are supplied by the FBI directly to  
 24 other federal agencies;

25 (2) provide to federal agencies and to state criminal history record  
 26 repositories, criminal history records maintained in its database for the noncriminal  
 27 justice purposes described in Article IV, including

28 (A) information from nonparty states; and

29 (B) information from party states that is available from the FBI  
 30 through the III System, but is not available from the party state through the III  
 31 System;

1 (3) provide a telecommunications network and maintain centralized  
2 facilities for the exchange of criminal history records for both criminal justice  
3 purposes and the noncriminal justice purposes described in Article IV, and ensure that  
4 the exchange of such records for criminal justice purposes has priority over exchange  
5 for noncriminal justice purposes; and

6 (4) modify or enter into user agreements with nonparty state criminal  
7 history record repositories to require them to establish record request procedures  
8 conforming to those prescribed in Article V.

9 (b) State responsibilities. Each party state shall

10 (1) appoint a Compact officer who shall

11 (A) administer this Compact within that state;

12 (B) ensure that Compact provisions and rules, procedures, and  
13 standards established by the council under Article VI are complied with in the  
14 state; and

15 (C) regulate the in-state use of records received by means of  
16 the III System from the FBI or from other party states;

17 (2) establish and maintain a criminal history record repository, which  
18 shall provide

19 (A) information and records for the National Identification  
20 Index and the National Fingerprint File; and

21 (B) the state's III System-indexed criminal history records for  
22 noncriminal justice purposes described in Article IV;

23 (3) participate in the National Fingerprint File; and

24 (4) provide and maintain telecommunications links and related  
25 equipment necessary to support the services set forth in this Compact.

26 (c) Compliance with III System standards. In carrying out their  
27 responsibilities under this Compact, the FBI and each party state shall comply with III  
28 System rules, procedures, and standards duly established by the council concerning  
29 record dissemination and use, response times, data quality, system security, accuracy,  
30 privacy protection, and other aspects of III System operation.

31 (d) Maintenance of record services.

1 (1) Use of the III System for noncriminal justice purposes authorized  
 2 in this Compact shall be managed so as not to diminish the level of services provided  
 3 in support of criminal justice purposes.

4 (2) Administration of Compact provisions shall not reduce the level of  
 5 service available to authorized noncriminal justice users on the effective date of this  
 6 Compact.

7 ARTICLE IV. AUTHORIZED RECORD DISCLOSURES

8 (a) State criminal history record repositories. To the extent authorized by  
 9 section 552a of title 5, United States Code (commonly known as the "Privacy Act of  
 10 1974"), the FBI shall provide on request criminal history records (excluding sealed  
 11 records) to state criminal history record repositories for noncriminal justice purposes  
 12 allowed by federal statute, federal executive order, or a state statute that has been  
 13 approved by the attorney general and that authorizes national indices checks.

14 (b) Criminal justice agencies and other governmental or nongovernmental  
 15 agencies. The FBI, to the extent authorized by section 552a of title 5, United States  
 16 Code (commonly known as the "Privacy Act of 1974"), and state criminal history  
 17 record repositories shall provide criminal history records (excluding sealed records) to  
 18 criminal justice agencies and other governmental or nongovernmental agencies for  
 19 noncriminal justice purposes allowed by federal statute, federal executive order, or a  
 20 state statute that has been approved by the attorney general, that authorizes national  
 21 indices checks.

22 (c) Procedures. Any record obtained under this Compact may be used only for  
 23 the official purposes for which the record was requested. Each Compact officer shall  
 24 establish procedures, consistent with this Compact, and with rules, procedures, and  
 25 standards established by the council under Article VI, which procedures shall protect  
 26 the accuracy and privacy of the records, and shall

27 (1) ensure that records obtained under this Compact are used only by  
 28 authorized officials for authorized purposes;

29 (2) require that subsequent record checks are requested to obtain  
 30 current information whenever a new need arises; and

31 (3) ensure that record entries that may not legally be used for a

1 particular noncriminal justice purpose are deleted from the response and, if no  
2 information authorized for release remains, an appropriate "no record" response is  
3 communicated to the requesting official.

#### 4 ARTICLE V. RECORD REQUEST PROCEDURES

5 (a) Positive identification. Subject fingerprints or other approved forms of  
6 positive identification shall be submitted with all requests for criminal history record  
7 checks for noncriminal justice purposes.

8 (b) Submission of state requests. Each request for a criminal history record  
9 check utilizing the national indices made under any approved state statute shall be  
10 submitted through that state's criminal history record repository. A state criminal  
11 history record repository shall process an interstate request for noncriminal justice  
12 purposes through the national indices only if such request is transmitted through  
13 another state criminal history record repository or the FBI.

14 (c) Submission of federal requests. Each request for criminal history record  
15 checks utilizing the national indices made under federal authority shall be submitted  
16 through the FBI or, if the state criminal history record repository consents to process  
17 fingerprint submissions, through the criminal history record repository in the state in  
18 which such request originated. Direct access to the National Identification Index by  
19 entities other than the FBI and state criminal history records repositories shall not be  
20 permitted for noncriminal justice purposes.

21 (d) Fees. A state criminal history record repository or the FBI

22 (1) may charge a fee, in accordance with applicable law, for handling a  
23 request involving fingerprint processing for noncriminal justice purposes; and

24 (2) may not charge a fee for providing criminal history records in  
25 response to an electronic request for a record that does not involve a request to process  
26 fingerprints.

27 (e) Additional search.

28 (1) If a state criminal history record repository cannot positively  
29 identify the subject of a record request made for noncriminal justice purposes, the  
30 request, together with fingerprints or other approved identifying information, shall be  
31 forwarded to the FBI for a search of the national indices.

1 (2) If, with respect to a request forwarded by a state criminal history  
 2 record repository under paragraph (1), the FBI positively identifies the subject as  
 3 having a III System-indexed record or records

4 (A) the FBI shall so advise the state criminal history record  
 5 repository; and

6 (B) the state criminal history record repository shall be entitled  
 7 to obtain the additional criminal history record information from the FBI or  
 8 other state criminal history record repositories.

9 ARTICLE VI. ESTABLISHMENT OF A COMPACT COUNCIL

10 (a) Establishment.

11 (1) In general. There is established a council to be known as the  
 12 "Compact Council," which shall have the authority to promulgate rules and procedures  
 13 governing the use of the III System for noncriminal justice purposes, not to conflict  
 14 with FBI administration of the III System for criminal justice purposes.

15 (2) Organization. The council shall

16 (A) continue in existence as long as this Compact remains in  
 17 effect;

18 (B) be located, for administrative purposes, within the FBI; and

19 (C) be organized and hold its first meeting as soon as  
 20 practicable after the effective date of this Compact.

21 (b) Membership. The council shall be composed of 15 members, each of  
 22 whom shall be appointed by the attorney general, as follows:

23 (1) nine members, each of whom shall serve a two-year term, who  
 24 shall be selected from among the Compact officers of party states based on the  
 25 recommendation of the Compact officers of all party states, except that, in the absence  
 26 of the requisite number of Compact officers available to serve, the chief administrators  
 27 of the criminal history record repositories of nonparty states shall be eligible to serve  
 28 on an interim basis;

29 (2) two at-large members, nominated by the director of the FBI, each  
 30 of whom shall serve a three-year term, of whom

31 (A) one shall be a representative of the criminal justice

1 agencies of the federal government and may not be an employee of the FBI;  
2 and

3 (B) one shall be a representative of the noncriminal justice  
4 agencies of the federal government;

5 (3) two at-large members, nominated by the chair of the council, once  
6 the chair is elected pursuant to Article VI(c), each of whom shall serve a three-year  
7 term, of whom

8 (A) one shall be a representative of state or local criminal  
9 justice agencies; and

10 (B) one shall be a representative of state or local noncriminal  
11 justice agencies;

12 (4) one member, who shall serve a three-year term, and who shall  
13 simultaneously be a member of the FBI's advisory policy board on criminal justice  
14 information services, nominated by the membership of that policy board;

15 (5) one member, nominated by the director of the FBI, who shall serve  
16 a three-year term, and who shall be an employee of the FBI.

17 (c) Chair and vice chair.

18 (1) In general. From its membership, the council shall elect a chair  
19 and a vice chair of the council, respectively. Both the chair and vice chair of the  
20 council

21 (A) shall be a Compact officer, unless there is no Compact  
22 officer on the council who is willing to serve, in which case the chair may be  
23 an at-large member; and

24 (B) shall serve a two-year term and be reelected to only one  
25 additional two-year term.

26 (2) Duties of the vice chair. The vice chair of the council shall serve as  
27 the chair of the council in the absence of the chair.

28 (d) Meetings.

29 (1) In general. The council shall meet at least once a year at the call of  
30 the chair. Each meeting of the council shall be open to the public. The council shall  
31 provide prior public notice in the Federal Register of each meeting of the council,

1 including the matters to be addressed at such meeting.

2 (2) Quorum. A majority of the council or any committee of the  
3 council shall constitute a quorum of the council or of such committee, respectively, for  
4 the conduct of business. A lesser number may meet to hold hearings, take testimony,  
5 or conduct any business not requiring a vote.

6 (e) Rules, procedures, and standards. The council shall make available for  
7 public inspection and copying at the council office within the FBI, and shall publish in  
8 the Federal Register, any rules, procedures, or standards established by the council.

9 (f) Assistance from FBI. The council may request from the FBI such reports,  
10 studies, statistics, or other information or materials as the council determines to be  
11 necessary to enable the council to perform its duties under this Compact. The FBI, to  
12 the extent authorized by law, may provide such assistance or information upon such a  
13 request.

14 (g) Committees. The chair may establish committees as necessary to carry out  
15 this Compact and may prescribe their membership, responsibilities, and duration.

#### 16 ARTICLE VII. RATIFICATION OF COMPACT

17 This Compact shall take effect upon being entered into by two or more states as  
18 between those states and the federal government. Upon subsequent entering into this  
19 Compact by additional states, it shall become effective among those states and the  
20 federal government and each party state that has previously ratified it. When ratified,  
21 this Compact shall have the full force and effect of law within the ratifying  
22 jurisdictions. The form of ratification shall be in accordance with the laws of the  
23 executing state.

#### 24 ARTICLE VIII. MISCELLANEOUS PROVISIONS

25 (a) Relation of Compact to certain FBI activities. Administration of this  
26 Compact shall not interfere with the management and control of the director of the  
27 FBI over the FBI's collection and dissemination of criminal history records and the  
28 advisory function of the FBI's advisory policy board chartered under the Federal  
29 Advisory Committee Act (5 U.S.C. App.) for all purposes other than noncriminal  
30 justice.

31 (b) No authority for nonappropriated expenditures. Nothing in this Compact

1 shall require the FBI to obligate or expend funds beyond those appropriated to the  
2 FBI.

3 (c) Relating to Public Law 92-544. Nothing in this Compact shall diminish or  
4 lessen the obligations, responsibilities, and authorities of any state, whether a party  
5 state or a nonparty state, or of any criminal history record repository or other  
6 subdivision or component thereof, under the Departments of State, Justice, and  
7 Commerce, the Judiciary, and Related Agencies Appropriation Act, 1973 (Public Law  
8 92-544) or regulations and guidelines promulgated thereunder, including the rules and  
9 procedures promulgated by the council under Article VI(a), regarding the use and  
10 dissemination of criminal history records and information.

#### 11 ARTICLE IX. RENUNCIATION

12 (a) In general. This Compact shall bind each party state until renounced by  
13 the party state.

14 (b) Effect. Any renunciation of this Compact by a party state shall

15 (1) be effected in the same manner by which the party state ratified this  
16 Compact; and

17 (2) become effective 180 days after written notice of renunciation is  
18 provided by the party state to each other party state and to the federal government.

#### 19 ARTICLE X. SEVERABILITY

20 The provisions of this Compact shall be severable, and if any phrase, clause, sentence,  
21 or provision of this Compact is declared to be contrary to the constitution of any  
22 participating state, or to the Constitution of the United States, or the applicability  
23 thereof to any government, agency, person, or circumstance is held invalid, the  
24 validity of the remainder of this Compact and the applicability thereof to any  
25 government, agency, person, or circumstance shall not be affected thereby. If a  
26 portion of this Compact is held contrary to the constitution of any party state, all other  
27 portions of this Compact shall remain in full force and effect as to the remaining party  
28 states and in full force and effect as to the party state affected, as to all other  
29 provisions.

#### 30 ARTICLE XI. ADJUDICATION OF DISPUTES

31 (a) In general. The council shall

1 (1) have initial authority to make determinations with respect to any  
2 dispute regarding

3 (A) interpretation of this Compact;

4 (B) any rule or standard established by the council pursuant to  
5 Article V; and

6 (C) any dispute or controversy between any parties to this  
7 Compact; and

8 (2) hold a hearing concerning any dispute described in paragraph (1) at  
9 a regularly scheduled meeting of the council and only render a decision based upon a  
10 majority vote of the members of the council. Such decision shall be published  
11 pursuant to the requirements of Article VI(e).

12 (b) Duties of the FBI. The FBI shall exercise immediate and necessary action  
13 to preserve the integrity of the III System, maintain system policy and standards,  
14 protect the accuracy and privacy of records, and to prevent abuses, until the council  
15 holds a hearing on such matters.

16 (c) Right of appeal. The FBI or a party state may appeal any decision of the  
17 council to the attorney general, and thereafter may file suit in the appropriate district  
18 court of the United States, which shall have original jurisdiction of all cases or  
19 controversies arising under this Compact. Any suit arising under this Compact and  
20 initiated in a state court shall be removed to the appropriated district court of the  
21 United States in the manner provided by section 1446 of title 28, United States Code,  
22 or other statutory authority.

23 \* **Sec. 3.** AS 12.62.900(24) is repealed.

24 \* **Sec. 4.** This Act takes effect September 1, 2001.