

SENATE BILL NO. 82

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/26/05

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to child protection, including forensic interviews and transportation of**
2 **children; and providing for an effective date."**

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

4 *** Section 1.** AS 47.17.064 is amended by adding new subsections to read:

5 (c) In addition to the authority provided in (a) of this section, the department
6 may, without the permission of the parents, guardian, or custodian, conduct or
7 authorize a person to conduct a forensic interview of a child who the department has
8 reasonable cause to suspect has suffered sexual abuse or physical harm as a result of
9 child abuse or neglect. The forensic interview authorized by this subsection may be
10 conducted only by the department, or by a peace officer or professional staff of a child
11 advocacy center authorized by the department. The department shall notify the
12 parents, guardian, or custodian of a child as soon as possible after taking action under
13 this subsection with regard to the child.

14 (d) The department may transport or authorize a third party to transport a child

1 for photographs or a medical or radiological examination under (a) of this section or a
2 forensic interview under (c) of this section. Transportation of a child under this
3 section does not constitute the child being taken into emergency custody of the state
4 under AS 47.10.142.

5 (e) The state and the department, its officers, its employees, and its agents are
6 not liable for civil damages as a result of actions taken or omissions that occurred in
7 the transportation authorized under this section, except for conduct that constitutes
8 gross negligence.

9 (f) In this section,

10 (1) "child advocacy center" means a facility with a child-focused,
11 community-based program that includes representatives from law enforcement, child
12 protection, criminal prosecution, victim advocacy, and the medical and mental health
13 fields, who collaborate and assist in investigations of allegations of sexual or other
14 abuse, and neglect, of children;

15 (2) "peace officer" has the meaning given in AS 11.81.900.

16 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
17 read:

18 REVISOR'S INSTRUCTION. The revisor of statutes is instructed to change the
19 heading of AS 14.17.064 from "Photographs and x-rays" to "Photographs and other
20 authorized procedures."

21 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).