

**CS FOR SENATE BILL NO. 185(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

**BY THE SENATE STATE AFFAIRS COMMITTEE**

**Offered: 2/19/08**

**Referred: Judiciary, Finance**

**Sponsor(s): SENATORS WIELECHOWSKI, Ellis**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to sex offenders and child kidnappers; and providing for an effective**  
2 **date."**

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

4 **\* Section 1.** AS 11.56.840(a) is repealed and reenacted to read:

5 (a) A person commits the crime of failure to register as a sex offender or child  
6 kidnapper in the second degree if the person fails, as required by AS 12.63.010, to

7 (1) register;

8 (2) file written notice of

9 (A) change of residence;

10 (B) change of mailing address;

11 (C) establishment of an electronic or messaging address or any  
12 change to an electronic or messaging address; or

13 (D) establishment of an Internet communication identifier or  
14 any change to an Internet communication identifier;

- 1 (3) file the annual or quarterly written verification; or  
 2 (4) supply accurate and complete information required to be submitted  
 3 under (1) - (3) of this subsection.

4 \* **Sec. 2.** AS 12.63.010(b) is amended to read:

5 (b) A sex offender or child kidnapper required to register under (a) of this  
 6 section shall register with the Department of Corrections if the sex offender or child  
 7 kidnapper is incarcerated or in person at the Alaska state trooper post or municipal  
 8 police department located nearest to where the sex offender or child kidnapper resides  
 9 at the time of registration. To fulfill the registration requirement, the sex offender or  
 10 child kidnapper shall

11 (1) complete a registration form that includes, at a minimum,

12 (A) the sex offender's or child kidnapper's name, address, place  
 13 of employment, **and** date of birth;

14 (B) each conviction for a sex offense or child kidnapping for  
 15 which the duty to register has not terminated under AS 12.63.020, **the** date of  
 16 **the** sex offense or child kidnapping convictions, **the** place and court of **the** sex  
 17 offense or child kidnapping convictions, **and** whether the sex offender or child  
 18 kidnapper has been unconditionally discharged from the conviction for a sex  
 19 offense or child kidnapping and the date of the unconditional discharge; if the  
 20 sex offender or child kidnapper asserts that the offender or kidnapper has been  
 21 unconditionally discharged, the offender or kidnapper shall supply proof of  
 22 that discharge acceptable to the department;

23 (C) all aliases used;

24 (D) **the sex offender's or child kidnapper's** driver's license  
 25 number;

26 (E) **the** description, license numbers, and vehicle identification  
 27 numbers of motor vehicles the sex offender or child kidnapper has access to,  
 28 regardless of whether that access is regular or not;

29 (F) any identifying features of the sex offender or child  
 30 kidnapper;

31 (G) anticipated changes of address; [AND]

1 (H) a statement concerning whether the offender or kidnapper  
 2 has had treatment for a mental abnormality or personality disorder since the  
 3 date of conviction for an offense requiring registration under this chapter; **and**

4 **(I) each electronic mail address, instant messaging address,**  
 5 **and other Internet communication identifier used by the sex offender or**  
 6 **child kidnapper;**

7 (2) allow the Alaska state troopers, Department of Corrections, or  
 8 municipal police to take a complete set of the sex offender's or child kidnapper's  
 9 fingerprints and to take the sex offender's or child kidnapper's photograph.

10 \* **Sec. 3.** AS 12.63.010(c) is amended to read:

11 (c) If a sex offender or child kidnapper changes residence after having  
 12 registered under (a) of this section, the sex offender or child kidnapper shall provide  
 13 written notice of the change by the next working day following the change to the  
 14 Alaska state trooper post or municipal police department located nearest to the new  
 15 residence or, if the residence change is out of state, to the central registry. **If a sex**  
 16 **offender or child kidnapper establishes or changes an electronic mail address,**  
 17 **instant messaging address, or other Internet communication identifier, the sex**  
 18 **offender or child kidnapper shall, by the next working day, notify the department**  
 19 **in writing of the changed or new address or identifier.**

20 \* **Sec. 4.** AS 18.65.087 is amended by adding a new subsection to read:

21 (i) Notwithstanding (b) of this section,

22 (1) the department may provide a method for, or may participate in a  
 23 federal program that allows, the public to submit an electronic or messaging address or  
 24 Internet identifier and receive a confirmation of whether the address or identifier  
 25 belongs to a registered sex offender or child kidnapper;

26 (2) the department may provide electronic or messaging addresses and  
 27 Internet communication identifiers in the central registry to Internet service providers  
 28 and Internet security firms to assist those entities in preventing children from receiving  
 29 communications from registered sex offenders and child kidnappers and to warn the  
 30 public that persons with those addresses or identifiers are registered sex offenders or  
 31 child kidnappers.

1     \* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3           **APPLICABILITY.** (a) This Act applies to persons convicted of sex offenses or child  
4 kidnapping before, on, or after the effective date of this Act whose duty to register as a sex  
5 offender or child kidnapper has not expired under AS 12.63.010(d)(1) on the effective date of  
6 this Act.

7           (b) Notwithstanding AS 11.56.840(a), repealed and reenacted by sec. 1 of this Act,  
8 and AS 12.63.010(c), amended by sec. 3 of this Act, a sex offender or child kidnapper whose  
9 duty to register as a sex offender or child kidnapper arose

10           (1) on or before December 31, 2008, does not have to initially report  
11 electronic or messaging addresses or Internet communication identifiers to the Department of  
12 Public Safety until the date that the sex offender or child kidnapper's next annual, or quarterly  
13 if applicable, written verification is due; after the initial report of addresses and identifiers is  
14 due, the sex offender or child kidnapper shall report the establishment of an electronic or  
15 messaging address, or any changes to those addresses, or the establishment of an Internet  
16 communication identifier, or any change to an identifier, as required by AS 11.56.840 and  
17 AS 12.63.010;

18           (2) on or after January 1, 2009, shall report electronic or messaging addresses  
19 or Internet communication identifiers, and changes to addresses and identifiers, to the  
20 Department of Public Safety as required by AS 12.63.010.

21     \* **Sec. 6.** This Act takes effect January 1, 2009.