

**SENATE CS FOR CS FOR HOUSE BILL NO. 311(RLS)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

**BY THE SENATE RULES COMMITTEE**

**Offered: 2/13/12**

**Referred: Today's Calendar**

**Sponsor(s): HOUSE RULES COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the filing of information with the Alaska Public Offices Commission;**  
2 **and providing for an effective date."**

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

4 **\* Section 1.** AS 15.13.040(m) is amended to read:

5 (m) Information required under this chapter shall be submitted to the  
6 commission electronically, except that the following information may be submitted in  
7 clear and legible black typeface or hand-printed in dark ink on paper in a format  
8 approved by the commission or on forms provided by the commission:

9 (1) information submitted by

10 (A) a candidate for election to a borough or city office of  
11 mayor, membership on a borough assembly, city council, or school board, or  
12 any state office, who

13 (i) meets the requirements of (g)(1) - (3) of this section;

14 or

1                                    **(ii) does not have reasonable access to the technology**  
 2                                    **necessary to file electronically; in this sub-subparagraph, a**  
 3                                    **candidate is considered not to have reasonable access to the**  
 4                                    **technology necessary to file electronically if the candidate does not**  
 5                                    **own a personal computer or does not have broadband Internet**  
 6                                    **access at the candidate's residence; in this sub-subparagraph,**  
 7                                    **"broadband Internet access" means high-speed Internet access**  
 8                                    **that is always on and that is faster than traditional dial-up access;**  
 9                                    **or**

10                                    (B) a candidate for municipal office for a municipality with a  
 11                                    population of less than 15,000; in this subparagraph, "municipal office" means  
 12                                    the office of an elected borough or city

13                                    (i) mayor; or

14                                    (ii) assembly, council, or school board member;

15                                    (2) any information if the commission determines that circumstances  
 16                                    warrant an exception to the electronic submission requirement.

17                                    \* **Sec. 2.** AS 15.13.040 is amended by adding a new subsection to read:

18                                    (r) Notwithstanding the requirement in (a) of this section that a candidate shall  
 19                                    make a full report upon a form prescribed by the commission, the commission shall  
 20                                    accept information submitted electronically by a candidate if the information is

21                                    (1) entered onto a version of a form accessed on the Internet website of  
 22                                    the commission; or

23                                    (2) in the form of an electronic spreadsheet or data file that contains  
 24                                    field names and data types that conform to a standard defined by the commission.

25                                    \* **Sec. 3.** AS 15.13.110(c) is amended to read:

26                                    (c) All reports required by this chapter shall be filed with the commission's  
 27                                    central office and shall be kept open to public inspection. **The commission shall keep**  
 28                                    **a report filed on paper under AS 15.13.040(m) open to public inspection by**  
 29                                    **scanning the report and posting a copy of the scanned image on the commission's**  
 30                                    **Internet website within two working days after the report is filed. The** [WITHIN  
 31                                    30 DAYS AFTER EACH ELECTION, THE] commission shall prepare a summary of

1 each report, which shall be made available to the public at cost upon request. Each  
 2 summary **must** [SHALL] use uniform categories of reporting. **Summaries for reports**  
 3 **filed**

4 **(1) electronically shall be made available within 30 days after the**  
 5 **report is filed; and**

6 **(2) on paper shall be made available within 30 days after each**  
 7 **election.**

8 \* **Sec. 4.** AS 15.13.110 is amended by adding a new subsection to read:

9 (i) Notwithstanding AS 15.13.040(m) and 15.13.040(r), during the period an  
 10 individual is a candidate under this chapter, holds a public office to which this chapter  
 11 applies, or holds public office to which this chapter applies and is a candidate for  
 12 retention of that office, the commission may not change the manner or format in which  
 13 reports required of that candidate or office holder under this chapter must be filed.

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

16 TEMPORARY EXCEPTION TO ELECTRONIC FILING REQUIREMENT.  
 17 Notwithstanding AS 15.13.040(m), as amended by sec. 1 of this Act, until February 16, 2013,  
 18 the commission may request that a candidate submit information required under AS 15.13  
 19 electronically but shall accept any information required of a candidate under AS 15.13 that is  
 20 typed in clear and legible black typeface or hand-printed in dark ink on paper in a format  
 21 approved by the commission or on forms provided by the commission.

22 \* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to  
 23 read:

24 TRANSITION. Notwithstanding AS 15.13 and the rules of the Alaska Public Offices  
 25 Commission, a candidate who has submitted information electronically in a format allowed  
 26 under AS 15.13.040(r), enacted by sec. 2 of this Act, or on paper in a format approved by the  
 27 commission, is not subject to a civil penalty under AS 15.13.390 for failure properly to file a  
 28 report under AS 15.13.040 if the information was filed after December 1, 2011, and before the  
 29 effective date of sec. 2 of this Act.

30 \* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to  
 31 read:

1           RETROACTIVITY. Sections 1, 2, and 5 of this Act are retroactive to December 1,  
2 2011.

3       \* **Sec. 8.** This Act takes effect immediately under AS 01.10.070(c).