

AMENDMENT #7

OFFERED IN THE HOUSE
TO: CSHB 316(STA)

BY REPRESENTATIVE EASTMAN

1 Page 1, line 2, following "emergencies;": (The amendment)
2 Insert "relating to interference with constitutional rights; relating to certification
3 as a police officer, emergency medical dispatcher, municipal correctional, correctional,
4 probation, or parole officer; relating to employment in an emergency communications
5 center or a law enforcement agency;"

6
7 Page 1, following line 3:

8 Insert new bill sections to read:

9 "* Section 1. AS 11.76.110(a) is amended to read:

10 (a) A person commits the crime of interference with constitutional rights if

11 (1) the person injures, oppresses, threatens, or intimidates another
12 person with intent to deprive that person of a right, privilege, or immunity in fact
13 granted by the constitution or laws of this state;

14 (2) the person intentionally injures, oppresses, threatens, or intimidates
15 another person because that person has exercised or enjoyed a right, privilege, or
16 immunity in fact granted by the constitution or laws of this state; [OR]

17 (3) under color of law, ordinance, or regulation of this state or a
18 municipality or other political subdivision of this state, the person intentionally
19 deprives another of a right, privilege, or immunity in fact granted by the constitution
20 or laws of this state; or

21 (4) the person requests, or contacts a law enforcement agency to
22 have the law enforcement agency request on the person's behalf, the location of a
23 wireless device from a wireless carrier under AS 42.20.400 without a reasonable

1 basis to believe that the device is in the possession of an individual who is in an
 2 ongoing emergency that involves the risk of death or serious physical harm.

3 * **Sec. 2.** AS 18.08.082 is amended by adding a new subsection to read:

4 (d) The department may deny or revoke a certificate of an emergency medical
 5 dispatcher who has been convicted of, pled guilty to, or entered a plea of no contest to
 6 a violation of AS 11.76.110(a)(4).

7 * **Sec. 3.** AS 18.08 is amended by adding a new section to read:

8 **Sec. 18.08.092. Employment of certain persons in an emergency**
 9 **communications center prohibited.** A person may not be employed by an emergency
 10 communications center if the person has been convicted of, pled guilty to, or entered a
 11 plea of no contest to a violation of AS 11.76.110(a)(4). In this section, "emergency
 12 communications center" has the meaning given in AS 11.56.785(b).

13 * **Sec. 4.** AS 18.65.240(c) is amended to read:

14 (c) The council may deny or revoke the certificate of a police officer who does
 15 not meet the standards adopted under (a)(2) of this section or who has been convicted
 16 of, pled guilty to, or entered a plea of no contest to a violation of
 17 AS 11.76.110(a)(4).

18 * **Sec. 5.** AS 18.65.245 is amended to read:

19 **Sec. 18.65.245. Denial or revocation of certificate of municipal**
 20 **correctional, correctional, probation, or parole officer.** The council may

21 (1) deny a certificate to an applicant for a municipal correctional,
 22 correctional, probation, or parole officer certificate if the applicant does not meet the
 23 standards adopted by the council under AS 18.65.242(a) or has been convicted of,
 24 pled guilty to, or entered a plea of no contest to a violation of AS 11.76.110(a)(4);

25 (2) revoke the certificate of a municipal correctional, correctional,
 26 probation, or parole officer who, having been issued a certificate, fails to meet the
 27 standards adopted by the council under AS 18.65.242(a) or has been convicted of,
 28 pled guilty to, or entered a plea of no contest to a violation of AS 11.76.110(a)(4).

29 * **Sec. 6.** AS 18.65 is amended by adding a new section to read:

30 **Article 14. Employment By Certain Persons In a Law Enforcement Agency Prohibited.**

31 **Sec. 18.65.920. Employment by certain persons in a law enforcement**

1 **agency.** A person may not be employed by a law enforcement agency if the person has
2 been convicted of, pled guilty to, or entered a plea of no contest to a violation of
3 AS 11.76.110(a)(4). In this section, "law enforcement agency" has the meaning given
4 in AS 12.36.090."

5

6 Page 1, line 4:

7 Delete "**Section 1**"

8 Insert "**Sec. 7**"

9

10 Renumber the following bill section accordingly.

11

12 Page 2, following line 20:

13 Insert a new bill section to read:

14 "*** Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 APPLICABILITY. (a) AS 11.76.110(a), as amended by sec. 1 of this Act, applies to
17 offenses committed on or after the effective date of this Act.

18 (b) AS 18.08.082(d), added by sec. 2 of this Act, AS 18.08.092, added by sec. 3 of
19 this Act, AS 18.65.240(c), as amended by sec. 4 of this Act, AS 18.65.245, as amended by
20 sec. 5 of this Act, and AS 18.65.920, added by sec. 6 of this Act, apply to collective
21 bargaining agreements and contracts entered into on or after the effective dates of secs. 2 - 6
22 of this Act."

23

24 Renumber the following bill section accordingly.