

HOUSE BILL NO. 315

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/9/24

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act defining 'public agency' for appointments of the office of public advocacy; and
2 providing for an effective date."

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

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

6 LEGISLATIVE INTENT. It is the intent of the legislature that AS 44.21.470, as
7 amended by sec. 2 of this Act, overturn the decision of the Alaska Supreme Court in Flores v.
8 Flores, 598 P.2d 893 (Alaska 1979) to the extent that the decision held that the Alaska Legal
9 Services Corporation is a "public agency" entitling an indigent parent in a child custody case
10 to court-appointed counsel.

11 * **Sec. 2.** AS 44.21.470 is amended to read:

12 **Sec. 44.21.470. Definitions [DEFINITION].** In AS 44.21.410 - 44.21.460,

13 **(1) "public agency" means the federal government or a state or**
14 **municipal government and does not include tribal governments or entities that**

1 **receive funding from the federal government or a state or municipal government;**

2 (2) "volunteer guardian ad litem" means a court-appointed special
3 advocate (CASA).

4 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
5 read:

6 APPLICABILITY. AS 44.21.470, as amended by sec. 2 of this Act, applies to
7 appointments occurring on or after the effective date of this Act.

8 * **Sec. 4.** This Act takes effect July 1, 2024.