

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

**HOUSE CS FOR SENATE BILL NO. 103(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/14/24

Referred: Rules

Sponsor(s): SENATORS DUNBAR, Gray-Jackson, Tobin, Kawasaki, Giessel

REPRESENTATIVES Galvin, Josephson, Schrage, Wright, C.Johnson, McCormick, Saddler

**A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to peer support counseling programs for law enforcement agencies,  
2 emergency service providers, and the Department of Corrections."

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

4 \* **Section 1.** AS 18.95 is amended by adding new sections to read:

5 **Sec. 18.95.020. Peer support counseling.** (a) A law enforcement agency,  
6 emergency service provider, and the department may establish a peer support  
7 counseling program to provide emotional and moral support and peer support  
8 counseling to peace officers and emergency service personnel who have experienced  
9 emotionally traumatic incidents in the course of employment.

10 (b) A law enforcement agency, emergency service provider, or the department  
11 may designate an employee of the agency, provider, or department to serve as a peer  
12 support counselor for the peer support counseling program of the agency, provider, or  
13 department if the employee has received training in peer support counseling and  
14 providing emotional and moral support to peace officers and emergency service

1 personnel who have experienced emotionally traumatic incidents in the course of  
2 employment.

3 **Sec. 18.95.030. Peer support counseling confidentiality.** (a) A written or oral  
4 communication made by a participant or peer support counselor during a peer support  
5 counseling session or made between peer support counselors, supervisors, or staff  
6 members relating to a peer support counseling session is confidential and may not be  
7 disclosed by a participant, peer support counselor, supervisor, or staff member to  
8 another person. Nothing in this subsection prohibits communications relating to a peer  
9 support counseling session between peer support counselors, supervisors, and staff  
10 members of a peer support counseling program.

11 (b) Oral or written information generated as a result of a peer support  
12 counseling session is confidential and is not subject to public disclosure under  
13 AS 40.25.100 - 40.25.295 (Alaska Public Records Act). The oral or written  
14 information is not admissible in a criminal or civil proceeding. A person may not be  
15 compelled to disclose oral or written information through discovery or testimony in a  
16 civil or criminal proceeding. Records and information collected through the peer  
17 support counseling program are not subject to discovery or subpoena in connection  
18 with a civil or criminal proceeding. This subsection does not apply to information that  
19 was acquired

20 (1) through observations made during the regular course of  
21 employment of a peace officer or emergency service personnel, or other material or  
22 information acquired during the course of employment of a peace officer or  
23 emergency service personnel, that is otherwise subject to discovery or introduction  
24 into evidence; or

25 (2) by a peer support counselor in the course of the peer support  
26 counselor's response to an incident as the initial responding peace officer or  
27 emergency service personnel, witness, or party to the incident for which a person  
28 sought peer support counseling.

29 (c) This section does not apply to

30 (1) a threat of suicide or homicide made by a participant in a peer  
31 support counseling session or any information relating to a threat of suicide or

1 homicide;

2 (2) information that is required by law to be reported;

3 (3) information relating to the abuse of a child or a vulnerable adult;

4 (4) any admission of criminal conduct.

5 **Sec. 18.95.040. Definitions.** In AS 18.95.020 - 18.95.040,

6 (1) "department" means the Department of Corrections;

7 (2) "emergency service personnel" means a firefighter, an emergency  
8 medical technician, a first responder in an emergency situation, or an emergency  
9 service dispatcher;

10 (3) "emergency service provider" means an organization or agency that  
11 provides services in response to emergency situations of imminent danger to life or  
12 property or assists in coordinating an emergency response to emergency situations of  
13 imminent danger to life or property;

14 (4) "firefighter" has the meaning given in AS 09.65.295(c);

15 (5) "law enforcement agency" means a public agency that performs as  
16 one of its principal functions an activity relating to crime prevention, control, or  
17 reduction or relating to the enforcement of the criminal law; "law enforcement  
18 agency" does not include a court;

19 (6) "peace officer" means

20 (A) an officer of the state troopers;

21 (B) a member of the police force of a municipality;

22 (C) a village public safety officer;

23 (D) a regional public safety officer;

24 (E) a correctional officer; in this paragraph, "correctional  
25 officer" has the meaning given in AS 18.65.290; and

26 (F) an officer whose duty it is to enforce and preserve the  
27 public peace;

28 (7) "peer support counseling" means counseling that occurs in an  
29 established peer support counseling program between two or more peace officers or  
30 emergency service personnel of a law enforcement agency, emergency service  
31 provider, or the department, one of whom is designated as a peer support counselor

1 under AS 18.95.020(b);

2 (8) "peer support counseling program" means a program established by  
3 a law enforcement agency, emergency service provider, or the department to provide  
4 peer support counseling or support services to peace officers and emergency service  
5 personnel employed by the agency, provider, or department.