

Original sponsor: Palmer

Offered: 5/9/70  
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

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HOUSE CS FOR SENATE BILL NO. 475

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTH LEGISLATURE -- SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to child neglect."

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

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\* Section 1. AS 11.35.010 is amended by adding a new subsection to read:

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(b) For the purposes of (a) of this section there is no failure

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to provide care or medical attendance to a wife or child who is provided

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treatment solely by spiritual means through prayer in accordance with

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the tenets and practices of a recognized church or religious denomina-

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tion by an accredited practitioner of the church or denomination.

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However, this provision does not apply to a wife who is not an adherent

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of or does not believe in the church or religious denomination and who

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is unable to provide the care or medical attendance for herself.

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\* Sec. 2. AS 47.10.080(c)(2) is amended to read:

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(2) order the minor released to his parents, guardian, or

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some other suitable person, and, in appropriate cases, order the

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parents, guardian, or other person to provide medical or other care and

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treatment; if the court releases the minor, it shall direct the depart-

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ment to supervise the care and treatment given to the minor; the

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department's supervision may not extend past the date the minor becomes

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19 [21] years of age, except that the department may petition the

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court for continued supervision for an additional one-year period for

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minors who have not responded to treatment; or

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\* Sec. 3. AS 47.10.080 is amended by adding a new subsection to read:

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(k) In making its order under (c) of this section, the court

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shall consider the fact, if it is a fact, that the minor was being

1 provided treatment by spiritual means through prayer in accordance  
2 with the tenets and practices of a recognized church or religious  
3 denomination by an accredited practitioner of the church or denomina-  
4 tion.

5 \* Sec. 4. AS 47.10 is amended by adding a new section to read:

6 Sec. 47.10.085. DEPENDENT MINOR; RELIGIOUS TREATMENT. In a case  
7 in which the minor's status as a dependent minor is sought to be based  
8 on his need for medical care, the court may, upon consideration of the  
9 health of the minor and the fact, if it is a fact, that the minor is  
10 being provided treatment by spiritual means through prayer in accordance  
11 with the tenets and practices of a recognized church or religious  
12 denomination by an accredited practitioner of the church or denomina-  
13 tion, dismiss the proceedings and thereby close the matter. This may  
14 be done, in the interests of justice and religious freedom, on the  
15 court's own motion or upon the application of a party to the proceedings,  
16 at any stage of the proceedings after information is given to the  
17 court under sec. 20(a) of this chapter.  
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