

Original sponsor: Rules Committee

Offered: 4/29/75
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

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HOUSE CS FOR CS FOR SENATE BILL NO. 99

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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NINTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to public records; and providing for
an effective date."

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

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* Section 1. AS 09.25 is amended by adding a new section to read:

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Sec. 09.25.125. ENFORCEMENT: INJUNCTIVE RELIEF. A person having

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custody or control of a public record who obstructs or attempts to

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obstruct, or a person not having custody or control who aids or abets

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another person in obstructing or attempting to obstruct, the inspection

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of a public record subject to inspection under sec. 110 or 120 of this

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chapter may be enjoined by the superior court from obstructing, or

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attempting to obstruct, the inspection of public records subject to

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inspection under sec. 110 or 120 of this chapter.

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* Sec. 2. AS 11.30.240 is amended to read:

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Sec. 11.30.240. MISHANDLING OF PUBLIC RECORDS. A person who has

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the legal custody of and who wilfully destroys, secretes, or mutilates a

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public record, book, paper, or writing, or a person [AN ATTORNEY] who

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wilfully destroys, secretes, or mutilates a public record, book, paper,

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or writing, or wrongfully takes a public record, book, paper, or writing

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from the person having legal custody of it, or who has obtained posses-

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sion wrongfully and refuses or neglects to return or produce it when

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lawfully required or demanded so to do, upon conviction, is punishable

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by a fine of not less than \$100 nor more than \$500, or by imprisonment

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for not less than 90 days nor more than one year, or by both [IMPRISON-

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MENT IN THE PENITENTIARY FOR NOT LESS THAN SIX MONTHS NOR MORE THAN ONE

1 YEAR, OR BY IMPRISONMENT IN A JAIL FOR NOT LESS THAN THREE MONTHS NOR
2 MORE THAN ONE YEAR, OR BY A FINE OF NOT LESS THAN \$100 NOR MORE THAN
3 \$500].

4 * Sec. 3. AS 11.30 is amended by adding a new section to read:

5 Sec. 11.30.245. OBSTRUCTION OF ACCESS TO PUBLIC RECORDS. A
6 person who has custody or control of a public record who intentionally
7 obstructs or attempts to obstruct, or a person not having custody or
8 control who intentionally aids or abets another person in obstructing or
9 attempting to obstruct, the inspection of a public record subject to
10 inspection under AS 09.25.110 or 09.25.120 is guilty of a misdemeanor
11 and, upon conviction, is punishable by a fine of not less than \$100 nor
12 more than \$500. Upon a subsequent conviction, that person is guilty of
13 a misdemeanor and is punishable by a fine of not less than \$250 nor more
14 than \$1,000, or by imprisonment for not more than six months, or by
15 both.

16 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).