

Original sponsors: Parr, Fahrenkamp,
Fischer and Stimson

Offered: 2/8/82

1 IN THE SENATE

BY THE RULES COMMITTEE

2 CS FOR SENATE BILL NO. 89 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act amending the child protection laws; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 47.10.010(a)(2) is amended by adding a new subparagraph
10 to read:

11 (F) the child having suffered substantial physical abuse
12 or neglect as a result of conditions created by the child's parent,
13 guardian or custodian.

14 * Sec. 2. AS 47.10.142(a) is amended by adding a new paragraph to read:

15 (4) the minor has been sexually abused under circumstances
16 listed in AS 47.10.010(a)(2)(D).

17 * Sec. 3. AS 47.17.010 is amended to read:

18 Sec. 47.17.010. PURPOSE. In order to protect children whose
19 health and well-being may be adversely affected through the infliction,
20 by other than accidental means, of harm through physical abuse or neglect
21 or sexual abuse or sexual exploitation [REQUIRING THE ATTENTION OF A
22 PRACTITIONER OF THE HEALING ARTS], the legislature requires the reporting
23 of these cases by practitioners of the healing arts and others to the
24 appropriate public authorities. It is the intent of the legislature
25 that, as a result of these reports, protective services will be made
26 available in an effort to prevent further harm to the child, to safeguard
27 and enhance the general well-being of the children in this state, and to
28 preserve family life whenever possible.

29 * Sec. 4. AS 47.17.020(a)(2) is amended to read:

(2) school teachers and school administrative staff members;

* Sec. 5. AS 47.17.020(a) is amended by adding a new paragraph to read:

(6) individuals involved in day care and foster care.

* Sec. 6. AS 47.17 is amended by adding new sections to read:

Sec. 47.17.064. PHOTOGRAPHS AND X-RAYS. A person required under this chapter to report that a child suffered harm as a result of physical abuse or neglect may without the permission of the parents

(1) take or have taken photographs of the areas of trauma visible on the child; and

(2) if medically indicated, have a radiological examination of the child performed.

Sec. 47.17.068. PENALTY FOR FAILURE TO REPORT. A person required to file a report of abuse or neglect under AS 47.17.020 who wilfully or knowingly fails or refuses to report the harm required under AS 47.17.020 is guilty of a class B misdemeanor.

* Sec. 7. AS 47.17.070(1) is amended to read:

(1) "child abuse or neglect" means the physical injury or neglect, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person who is responsible for the child's welfare under circumstances which indicate that the child's health or welfare is harmed or threatened thereby;

* Sec. 8. AS 47.17.070 is amended by adding a new paragraph to read:

(7) "sexual exploitation" means

(A) permission or encouragement to a child for prostitution prohibited by AS 11.66.100 - 11.66.150 by a person responsible for the child's welfare;

(B) permission, encouragement, or activity involved in the unlawful exploitation of a minor prohibited by AS 11.41.455 by a person responsible for the minor's welfare.

Bill No. 89
Public Law 97-100
Finance and Commerce

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* Sec. 9. This Act takes effect July 1, 1982.