

Original sponsors: Parr, Fahrenkamp,  
Fischer and Stimson

Offered: 5/17/82  
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 89 (Judiciary)

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 requiring the attention of a practitioner of the healing  
22 arts, the legislature requires the reporting of these cases by practi-  
23 tioners and others to the appropriate public authorities. It is the  
24 intent of the legislature that, as a result of these reports, protective  
25 services will be made available in an effort to prevent further harm to  
26 the child, to safeguard and enhance the general well-being of the chil-  
27 dren in this state, and to preserve family life whenever possible.

28 \* Sec. 4. AS 47.17.020(b) is repealed and reenacted to read:

29 (b) This section does not prohibit a person listed in (a) of this

1 section from reporting instances of harm to a child which have come to  
2 the attention of the person in a nonprofessional capacity nor does it  
3 prohibit any other person from reporting harm to a child that the person  
4 has cause to believe is a result of abuse or neglect. A report shall be  
5 made to the nearest office of the department or to a law enforcement  
6 agency.

7 \* Sec. 5. AS 47.17.020(c) is repealed and reenacted to read:

8 (c) If it appears reasonable from a report made under this section  
9 that immediate action is necessary for the well-being of a child, the  
10 department or law enforcement agency or peace officer shall take action  
11 to protect the child.

12 \* Sec. 6. AS 47.17.020 is amended by adding a new subsection to read:

13 (d) A form for a report of harm to a child from abuse or neglect  
14 may be obtained from the department, a local police department, or the  
15 Department of Public Safety.

16 \* Sec. 7. AS 47.17 is amended by adding a new section to read:

17 Sec. 47.17.025. DUTIES OF PUBLIC AUTHORITIES. (a) A law enforce-  
18 ment agency shall immediately notify the department of the receipt of a  
19 report of harm to a child from abuse or neglect. Upon receipt from any  
20 source of a report of harm to a child from abuse or neglect, the depart-  
21 ment shall notify the Department of Law and investigate the report and,  
22 within 72 hours of the receipt of the report, shall provide a written  
23 report of its investigation of the harm to a child from abuse or neglect  
24 to the Department of Law for review.

25 (b) The report of harm to a child from abuse or neglect required  
26 from the department by this section shall include:

27 (1) the names and addresses of the child and his parent or  
28 other persons responsible for his care, if known;

29 (2) the age and sex of the child;

1 (3) the nature and extent of the harm to the child from abuse  
2 or neglect;

3 (4) the name and age and address of the person known or  
4 believed to be responsible for the harm to the child from abuse or  
5 neglect, if known;

6 (5) information that the department believes may be helpful  
7 in establishing the identity of the person believed to have caused the  
8 harm to the child from abuse or neglect.

9 (c) The Department of Law shall review the report of the depart-  
10 ment and, in consultation with the department, take appropriate action  
11 to protect the child from further harm.

12 \* Sec. 8. AS 47.17 is amended by adding a new section to read:

13 Sec. 47.17.064. PHOTOGRAPHS AND X-RAYS. The department or a  
14 person required under this chapter to report that a child suffered  
15 substantial harm as a result of physical abuse or neglect may without  
16 the permission of the parents and at the expense of the department

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

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

21 \* Sec. 9. AS 47.17.070(1) is amended to read:

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

27 \* Sec. 10. This Act takes effect July 1, 1982.  
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