

Introduced: 4/21/83  
Referred: Judiciary and  
Finance

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1 IN THE HOUSE

2

HOUSE BILL NO. 375

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to access to certain criminal jus-  
7 tice information."

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

9 \* Section 1. AS 12.62.030(a) is amended to read:

10 (a) Except as provided in (b) and (c) of this section and in  
11 AS 12.62.035, access to specified classes of criminal justice informa-  
12 tion in criminal justice information systems is available only to  
13 individual law enforcement agencies according to the specific needs of  
14 the agency under regulations established by the commission under  
15 AS 12.62.010. Criminal justice information may be used only for law  
16 enforcement purposes or for those additional lawful purposes necessary  
17 to the proper enforcement or administration of other provisions of law  
18 as the commission may prescribe by regulations established under  
19 AS 12.62.010. No criminal justice information may be disseminated to  
20 an agency before the commission determines the agency's eligibility to  
21 receive that information.

22 \* Sec. 2. AS 12.62 is amended by adding a new section to read:

23 Sec. 12.62.035. EMPLOYER ACCESS TO CERTAIN CRIME INFORMATION.

24 (a) Notwithstanding any other provision of law, an employer may  
25 request from the commission records of all convictions involving  
26 contributing to the delinquency of a minor and any sex crimes of a  
27 person who applies for employment or volunteers for a position in  
28 which the person would have supervisory or disciplinary power over a  
29 minor. The commission shall furnish the information to the requesting

1 employer and shall also send a copy of the information to the appli-  
2 cant.

3 (b) Any request for records under (a) of this section shall  
4 include the applicant's fingerprints, that may be taken by the em-  
5 ployer, and any other data specified in regulations established by the  
6 commission. The request shall be on a form approved by the commis-  
7 sion, and the commission may charge a fee to be paid by the employer  
8 for the actual cost of processing the request. The commission shall  
9 destroy an application within six months after the requested informa-  
10 tion is sent to the employer and applicant.

11 (c) The commission shall adopt regulations to implement the  
12 provisions of this section.

13 (d) As used in this section

14 (1) "contributing to the delinquency of a minor" means a  
15 conviction for a violation or attempted violation of AS 11.51.130(a)-  
16 (1), (3), or (5) or for a violation or attempted violation of an  
17 offense committed outside the state if the offense would have been a  
18 crime in this state under AS 11.51.130(a)(1), (3), or (5) if committed  
19 in the state;

20 (2) "employer" means a nonprofit corporation or other  
21 organization specified by the commission that employs persons or uses  
22 the services of volunteers in positions in which the employee or  
23 volunteer has supervisory or disciplinary power over a minor;

24 (3) "sex crime" means a conviction for a violation or  
25 attempted violation of AS 11.41.410 - 11.41.455, AS 11.51.130(a)(4),  
26 or AS 11.66.100 - 11.66.130 or for a violation or attempted violation  
27 of an offense committed outside the state if the offense would have  
28 been a crime in this state under one of the above sections if commit-  
29 ted in the state.