

Offered: 5/27/83  
Referred: Finance

Original sponsors: Barnes, Hayes,  
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1 IN THE HOUSE BY THE JUDICIARY COMMITTEE  
2 SENATE CS FOR CS FOR HOUSE BILL NO. 375 (Judiciary) am S  
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. ACCESS TO CERTAIN CRIME INFORMATION. (a)  
24 Notwithstanding any other provision of law, an interested person as  
25 defined in (d) of this section may request from the commission records  
26 of all convictions involving contributing to the delinquency of a  
27 minor and any sex crimes of a person who holds or applies for a posi-  
28 tion in which the person has or would have supervisory or disciplinary  
29 power over a minor. The commission shall authorize the disclosure of

1 the information to the requesting interested person and shall provide  
2 a copy of the information to the person who is the subject of the  
3 request.

4 (b) A request for records under (a) of this section shall in-  
5 clude within it the fingerprints of the person who is the subject of  
6 the request and any other data specified in regulations established by  
7 the commission. The request shall be on a form approved by the com-  
8 mission, and the commission may charge a fee to be paid by the re-  
9 questing interested person for the actual cost of processing the  
10 request. The commission shall destroy an application within six  
11 months after the requested information is sent to the requesting  
12 interested person and the person who is the subject of the request.

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

15 (d) If an individual is denied employment as a result of the  
16 disclosure of inaccurate or incomplete records under this section, an  
17 action may be brought against the state. No other action may be  
18 brought against the state, or an agency or employee of the state, as a  
19 result of disclosing or failing to disclose criminal justice informa-  
20 tion.

21 (e) As used in this section

22 (1) "contributing to the delinquency of a minor" means a  
23 conviction for a violation or attempted violation of AS 11.51.130(a)-  
24 (1), (3), or (5) or for a violation or attempted violation of an  
25 offense committed outside the state if the offense would have been a  
26 crime in this state under AS 11.51.130(a)(1), (3), or (5) if committed  
27 in the state;

28 (2) "interested person" means a corporation, company,  
29 partnership, firm, association, organization, business trust, or

1 society, as well as a natural person, that employs or solicits the  
2 employment of a person to serve with or without compensation in a  
3 position in which the person has or would have supervisory or disci-  
4 plinary power over a minor;

5 (3) "sex crime" means a conviction for a violation or  
6 attempted violation of AS 11.41.410 - 11.41.470, AS 11.51.130(a)(4),  
7 AS 11.61.101(a)(7), or AS 11.66.100 - 11.66.130 or for a violation or  
8 attempted violation of an offense committed outside the state if the  
9 offense would have been a crime in this state under one of the above  
10 sections if committed in the state.