

Offered: 4/21/86  
Referred: Judiciary and  
Finance

Original sponsors: Ferguson, Kelly,  
Faiks, et al

1 IN THE SENATE  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 21 (HESS)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to criminal background checks; and  
7 providing for an effective date."  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
9 \* Section 1. AS 12.62.035(a) is amended to read:  
10 (a) Notwithstanding any other provision of law, an interested  
11 person [AS DEFINED IN (e) OF THIS SECTION] may request from the  
12 Department of Public Safety [COMMISSION] records of all convictions of  
13 an individual that indicate that the individual might pose a risk of  
14 harm to a minor or a dependent adult if the individual [INVOLVING  
15 CONTRIBUTING TO THE DELINQUENCY OF A MINOR AND ANY SEX CRIMES OF A  
16 PERSON WHO] holds or applies for a position in which the individual  
17 [PERSON] has or would have supervisory or disciplinary power over a  
18 minor or dependent adult. A request must be accompanied by a release  
19 signed by the individual. The Department of Public Safety [COMMIS-  
20 SION] shall authorize the disclosure of the information to the  
21 requesting interested person and shall provide a copy of the informa-  
22 tion to the individual [PERSON] who is the subject of the request.  
23 \* Sec. 2. AS 12.62.035(e)(1) is repealed and reenacted to read:  
24 (1) "conviction of an individual that indicates that the  
25 individual might pose a risk of harm to a minor or a dependent adult"  
26 means a conviction for a violation or attempted violation of present  
27 or former Alaska statutes regarding the offenses now designated as  
28 murder, manslaughter, negligent homicide, assault, reckless endanger-  
29 ment, kidnapping, sexual assault, sexual abuse of a minor, unlawful

1 exploitation of a minor, incest, indecent exposure, robbery, arson,  
2 endangering the welfare of a minor, contributing to the delinquency of  
3 a minor, distribution of child pornography, promoting prostitution,  
4 and felony offenses involving distribution of controlled substances;  
5 it also includes a conviction for a violation or attempted violation  
6 of the laws of another jurisdiction if the offense would have been one  
7 of the crimes listed in this paragraph if committed in this state;

8 \* Sec. 3. AS 12.62.035(e)(2) is amended to read:

9 (2) "interested person" means a corporation, company,  
10 partnership, firm, association, organization, business trust, or  
11 society, as well as a natural person, that employs, enters into a  
12 contract with, or receives an application for [SOLICITS THE] employ-  
13 ment of a person to serve with or without compensation in a position  
14 in which the person has or would have supervisory or disciplinary  
15 power over a minor or a dependent adult;

16 \* Sec. 4. AS 12.62.035 is amended by adding a new subsection to read:

17 (f) In addition to the information that may be disclosed under  
18 (a) of this section, the Department of Public Safety [COMMISSION] may  
19 disclose the existence of an outstanding warrant for the arrest of an  
20 individual if the warrant is for a crime the conviction of which would  
21 indicate that the individual might pose a risk of harm to a minor or a  
22 dependent adult.

23 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.-  
24 10.070(c).