

Offered: 5/12/86  
Referred: Finance

Original sponsors: Ferguson, Kelly,  
Faiks, et al

1 IN THE SENATE BY THE JUDICIARY COMMITTEE  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 21 (Judiciary)  
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) An [NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN] inter-  
11 ested person [AS DEFINED IN (e) OF THIS SECTION] may request from the  
12 commission records of all convictions of an individual that indicate  
13 that the individual might pose a risk of harm to a minor or a depen-  
14 dent adult if the individual [INVOLVING CONTRIBUTING TO THE DELIN-  
15 QUENCY OF A MINOR AND ANY SEX CRIMES OF A PERSON WHO] holds or applies  
16 for a position in which the individual [PERSON] has or would have  
17 supervisory or disciplinary power over a minor or dependent adult. A  
18 request must be accompanied by a release signed by the individual. If  
19 the commission is satisfied that the subject of the request has  
20 authorized release of the information, then the [THE] commission shall  
21 authorize the disclosure of the information to the requesting inter-  
22 ested person and shall provide a copy of the information to the indi-  
23 vidual [PERSON] who is the subject of the request.

24 \* Sec. 2. AS 12.62.035(e)(1) is repealed and reenacted to read:

25 (1) "conviction of an individual that indicates that the  
26 individual might pose a risk of harm to a minor or a dependent adult"  
27 means a conviction for a violation or attempted violation of present  
28 or former Alaska statutes regarding the offenses now designated as  
29 murder, manslaughter, negligent homicide, assault, reckless

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

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

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

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

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

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