

Introduced: 3/11/85  
Referred: Health, Education and  
Social Service, Judiciary  
and Finance

1 IN THE SENATE

BY DEVRIES

2

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 86

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to runaway and missing minors; and  
to child abuse and child neglect."

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

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\* Section 1. AS 47.10.140(f) is repealed and reenacted to read:

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(f) Upon locating a minor who is evading the minor's parents or  
legal guardian, a peace officer shall detain the minor and, as soon as  
possible, return the minor to the parents or legal guardian. The  
peace officer shall take the minor to an office specified by the  
Department of Health and Social Services, instead of returning the  
minor to the parents or legal guardian, if

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(1) the officer determines that AS 47.10.142(a) is applica-  
ble and subsequently files with the department an affidavit justifying  
that determination; or

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(2) the minor files a criminal complaint against the  
parents or legal guardian alleging facts that would authorize the  
department to take emergency custody of the minor.

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\* Sec. 2. AS 47.10 is amended by adding a new section to read:

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Sec. 47.10.141. LOCATING RUNAWAY AND MISSING MINORS. Not later  
than 24 hours after receiving a written request to locate a minor who  
is evading the minor's parents or legal guardian or who is otherwise  
missing, a law enforcement agency shall

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(1) make reasonable efforts to locate the minor; and

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(2) enter identifying and descriptive information about the

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minor in the Federal Bureau of Investigation's National Crime

1 Information Center (NCIC) computer system; as soon as practicable  
2 after the law enforcement agency learns that the minor has been  
3 located, the agency shall cancel the entry from the NCIC computer  
4 system.

5 \* Sec. 3. AS 47.10.142(a) is repealed and reenacted to read:

6 (a) The Department of Health and Social Services may take  
7 emergency custody of a minor upon discovering any of the following  
8 circumstances: (1) the minor has been abandoned; (2) the minor has  
9 been grossly neglected by the minor's parents or guardian as "neglect"  
10 is defined in AS 47.17.070(5), so that immediate removal from the  
11 minor's surroundings is, in the determination of the department,  
12 necessary to protect the minor's life; (3) the minor has been abused,  
13 as "abuse" is defined in AS 47.17.070(1), so that immediate medical  
14 attention is necessary, in the determination of the department; (4)  
15 the minor has been sexually abused under circumstances listed in  
16 AS 47.10.010(a)(2)(D); if the minor is also evading the minor's  
17 parents or legal guardian, the department shall, not later than six  
18 hours after the minor arrives at the office, take emergency custody of  
19 the minor or summon a peace officer to return the minor to the minor's  
20 parents or legal guardian. The department may have an additional six  
21 hours to take emergency custody or summon a peace officer if the  
22 commissioner of health and social services finds extenuating  
23 circumstances that justify the extension or the department, after  
24 making a reasonable effort, has been unable to identify the parents or  
25 legal guardian of the minor.

26 \* Sec. 4. AS 47.10.142(b) is repealed and reenacted to read:

27 (b) A minor who is evading the minor's parents or legal guardian  
28 may obtain the services of the department. The department shall  
29 assess the situation and furnish the minor with the appropriate social

1 services it is required by law to provide to protect the well-being of  
2 the minor and to preserve the minor's family life if preserving it is  
3 considered desirable under the circumstances. Not later than six  
4 hours after contacting a minor who is evading the minor's parents or  
5 legal guardian, the department shall notify an appropriate law en-  
6 forcement agency of the contact.

7 \* Sec. 5. AS 47.17.070(1) is repealed and reenacted to read:

8 (1) "child abuse" means any of the following acts against a  
9 child by a person who is responsible for the child's welfare:

10 (A) sexual abuse;

11 (B) sexual exploitation;

12 (C) physical injury by other than accidental means

13 (i) requiring medical attention; or

14 (ii) that evidences extreme cruelty;

15 \* Sec. 6. AS 47.17.070(5) is amended to read:

16 (5) "neglect" means the failure to provide life-sustaining  
17 [NECESSARY] food, [CARE,] clothing, shelter, or medical attention for  
18 a child;