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1 IN THE SENATE BY THE JUDICIARY COMMITTEE  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 399 (Judiciary)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska automated fingerprint  
7 system and to the inclusion of fingerprint informa-  
8 tion in that system."

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

10 \* Section 1. AS 44.41.025 is amended to read:

11 Sec. 44.41.025. FINGERPRINTS [FEES FOR FINGERPRINT INFORMATION].

12 (a) The Department of Public Safety may maintain an automated finger-  
13 print system.

14 (b) The commissioner of public safety may establish by regu-  
15 lation and the Department of Public Safety may charge a reasonable fee  
16 to be paid by a person requesting information from the Alaska automat-  
17 ed fingerprint system and by a person submitting fingerprints under  
18 (d) of this section. The commissioner of administration shall sepa-  
19 rately account for fees collected under this section that the Depart-  
20 ment of Public Safety deposits in the general fund. The annual es-  
21 timated balance in the account may be used by the legislature to make  
22 appropriations to the department to carry out the purposes of this  
23 section.

24 \* Sec. 2. AS 44.41.025 is amended by adding new subsections to read:

25 (c) The department may enter into the Alaska automated finger-  
26 print identification system the fingerprints of a minor whose finger-  
27 prints are taken under AS 47.10.097.

28 (d) Each of the following may submit a complete set of finger-  
29 prints of the person designated for inclusion in the Alaska automated

1 fingerprint system:

2 (1) a person may submit the person's own fingerprints;

3 (2) the parent or guardian of a minor who is two years of  
4 age or older may submit the minor's fingerprints; and

5 (3) the guardian or conservator of a person under AS 13.26  
6 may submit the fingerprints of the person protected by the guardian or  
7 conservator.

8 (e) The commissioner may maintain the fingerprint sets of minors  
9 who are under 14 years of age submitted under (d)(2) of this section  
10 in a file separate from the general file for all other fingerprints  
11 maintained under (a) of this section.

12 (f) Upon request by a person who is 18 years of age or older,  
13 the commissioner shall remove from the records of the Alaska automated  
14 fingerprint system the complete set of the person's fingerprints  
15 submitted by the parent or guardian of the person under (d)(2) of this  
16 section. The regulations must establish a procedure for the sub-  
17 mission of a request under this subsection and for notification that  
18 the fingerprint set has been removed from the records in response to  
19 the request.

20 \* Sec. 3. AS 47.10 is amended by adding a new section to read:

21 Sec. 47.10.097. FINGERPRINTING OF MINORS. (a) Except as pro-  
22 vided in (b) of this section, a minor in the custody of the department  
23 or of a law enforcement agency may not be fingerprinted for reference  
24 to or entry into the Alaska automated fingerprint system without a  
25 court order upon good cause shown.

26 (b) A law enforcement officer may fingerprint a minor who is 16  
27 years of age or older for reference to or entry into the Alaska au-  
28 tomated fingerprint system without a court order when the minor is  
29 convicted of, or adjudicated a delinquent for, an offense that is a

1 felony.

2 (c) Fingerprint records under this section are not subject to

3 AS 47.10.090.