

BY REP. DONLEY, Larson, Barnes, Boucher, Collins, Foster, Hudson, Miller,
Zawacki, Sharp, Hanley

1 IN THE HOUSE

2

HOUSE BILL NO. 486

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to fingerprinting of minors."

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

8 * Section 1. AS 47.10.090 is amended by adding a new subsection to
9 read:

10 (d) Notwithstanding (a) of this section, if the court orders a
11 minor who is 14 years of age or older to the custody of the department
12 for placement in a juvenile facility under AS 47.10.080(b), the court
13 shall transmit a copy of the order to the Department of Public Safety.
14 On the basis of the court's order, the commissioner of public safety,
15 or a law enforcement officer designated by the commissioner, may
16 fingerprint the minor. The provisions of AS 47.10.097(d) apply to
17 fingerprints obtained under this subsection. The commissioner of
18 public safety may not create or maintain a record based on the copy of
19 the court order transmitted to the commissioner under this subsection
20 and shall promptly destroy the copy of the court order after the
21 minor's fingerprints have been secured.

22 * Sec. 2. AS 47.10.097(a) is amended to read:

23 (a) Except as provided in (b) of this section, a minor in the
24 custody of the department or of a law enforcement agency may not be
25 fingerprinted [FOR REFERENCE TO OR ENTRY INTO THE ALASKA AUTOMATED
26 FINGERPRINT SYSTEM] without a court order upon good cause shown. Good
27 cause exists if the minor is in custody for a serious offense against
28 persons or property or if identification of the minor is necessary for
29 the safety of the minor or of other persons.

1 * Sec. 3. AS 47.10.097(b) is amended to read:

2 (b) A law enforcement officer may fingerprint a minor who is 14
3 [16] years of age or older [FOR REFERENCE TO OR ENTRY INTO THE ALASKA
4 AUTOMATED FINGERPRINT SYSTEM] without a court order

5 (1) when the minor is arrested [CONVICTED OF, OR ADJUDICAT-
6 ED A DELINQUENT] for [,] an offense that is a felony if committed by
7 an adult; or

8 (2) immediately after the minor is institutionalized upon
9 adjudication for delinquency.

10 * Sec. 4. AS 47.10.097 is amended by adding a new subsection to read:

11 (d) If the minor is 14 or 15 years of age, the fingerprints
12 taken under (b) of this section may be checked through the Alaska
13 automated fingerprint identification system once and then shall be
14 immediately destroyed. If the minor is 16 or 17 years of age, the
15 fingerprints may be entered in the Alaska automated fingerprint iden-
16 tification system.