

Offered: 4/26/89
Referred: Finance

6-0451H

Original sponsor: Duncan

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 CS FOR SENATE BILL NO. 225 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to access to criminal records; 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 De-
12 partment of Public Safety [COMMISSION] records of all felony con-
13 victions, and all convictions involving contributing to the delin-
14 quency of a minor, misconduct involving a controlled substance, or
15 [AND ANY] sex crimes, of a person who holds or applies for a position
16 as an employee of a school district or regional educational attendance
17 area, or a position in which the person has or would have supervisory
18 or disciplinary power over a minor. The Department of Public Safety
19 [COMMISSION] shall disclose [AUTHORIZE THE DISCLOSURE OF] the informa-
20 tion to the requesting interested person and shall provide a copy of
21 the information to the person who is the subject of the request.

22 * Sec. 2. AS 12.62.035(e) is amended to read:

23 (e) As used in this section

24 (1) "contributing to the delinquency of a minor" means a
25 conviction for a violation or attempted violations of AS 11.51.-
26 130(a)(1), (3), or (5); former AS 11.40.130; or the laws of another
27 jurisdiction if the offense would have been a crime in this state
28 under AS 11.51.130(a)(1), (3), or (5) or former AS 11.40.130 if com-
29 mitted in the state;

1 (2) "interested person" means a state or municipal agency,
2 school district, regional educational attendance area, corporation,
3 company, partnership, firm, association, organization, business trust,
4 or society, as well as a natural person, that employs or solicits the
5 employment of a person to serve with or without compensation in a
6 position at a public school, or in which the person has or would have
7 supervisory or disciplinary power over a minor;

8 (3) "misconduct involving a controlled substance" means a
9 conviction for a violation or attempted violation of AS 11.71.010 -
10 11.71.070, former AS 17.10.010, or former AS 17.12.010; or the laws of
11 another jurisdiction if the offense would have been a crime in this
12 state under one of the sections listed in this paragraph if committed
13 in the state;

14 (4) "sex crime" means a conviction for a violation or
15 attempted violation of AS 11.41.410 - 11.41.470, AS 11.61.110(a)(7),
16 or AS 11.66.100 - 11.66.130; former AS 11.15.120, 11.15.134, or 11.-
17 15.160; former AS 11.40.080, 11.40.110, 11.40.130, or 11.40.200 -
18 11.40.420; or the laws of another jurisdiction if the offense would
19 have been a crime in this state under one of the sections listed in
20 this paragraph if committed in the state.

21 * Sec. 3. AS 12.62.035 is amended by adding a new subsection to read:

22 (f) The Department of Education shall request and receive re-
23 cords under (a) of this section for a person seeking initial certi-
24 fication under AS 14.20.020.

25 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).