

Offered: 4/23/90
Referred: Judiciary, and Finance

6-1845G

Original sponsor(s): SEN. FISCHER, Kelly

1 IN THE SENATE BY THE HESS COMMITTEE
2 HOUSE CS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 358 (HESS)
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; and
7 providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. INTENT. It is the intent of the amendment made to AS 44.-
10 41.025(c) by sec. 2 of this Act that, consistent with the current manner of
11 managing the Alaska automated fingerprint system, the commissioner of
12 public safety manage and strictly limit use of the fingerprints of minors
13 taken under AS 47.10.097 for purposes of identification. The commissioner
14 may not maintain those fingerprints for the purpose of developing or aug-
15 menting a criminal record for the minor.
16 * Sec. 2. AS 44.41.025(c) is amended to read:
17 (c) The department may enter into the Alaska automated finger-
18 print identification system the fingerprints of a minor whose finger-
19 prints are taken under AS 47.10.097. The commissioner of public
20 safety shall assure that fingerprints entered into the Alaska auto-
21 mated fingerprint system under AS 47.10.097 are not cross-referenced
22 with a record showing that the minor has been arrested or adjudicated
23 a delinquent.
24 * Sec. 3. AS 47.10.097(a) is amended to read:
25 (a) Except as provided in (b) of this section, a minor in the
26 custody of the department or of a law enforcement agency may not be
27 fingerprinted for reference to or entry into the Alaska automated
28 fingerprint system without a court order upon good cause shown. Good
29 cause exists if the minor is in custody for an offense that is a

1 felony or if identification of the minor is necessary for the safety
2 of the minor or of other persons.

3 * Sec. 4. AS 47.10.097(b) is amended to read:

4 (b) A law enforcement officer may fingerprint a minor who is 14
5 [16] years of age or older for reference to or entry into the Alaska
6 automated fingerprint system without a court order when the minor is
7 arrested [CONVICTED OF, OR ADJUDICATED A DELINQUENT] for [,] an of-
8 fense that is a felony.

9 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).