

**SENATE BILL NO. 122**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**EIGHTEENTH LEGISLATURE - FIRST SESSION**

**BY SENATOR SHARP**

**Introduced: 2/19/93**  
**Referred: L&C, JUD**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the disclosure of information by an employer about the job  
2 performance of an employee or former employee."

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

4 \* Section 1. AS 09.65 is amended by adding a new section to read:

5           Sec. 09.65.160. JOB REFERENCES. An employer who discloses information  
6 about the job performance of an employee or former employee to a prospective  
7 employer of the employee or former employee at the request of the prospective  
8 employer or the employee or former employee is presumed to be acting in good faith  
9 and, unless lack of good faith is shown by a preponderance of the evidence, may not  
10 be held liable for the disclosure or its consequences. For purposes of this section, the  
11 presumption of good faith is rebutted upon a showing that the information disclosed  
12 by the former employer was knowingly false or deliberately misleading, was given  
13 with a malicious purpose, or violated a civil right of the employee or former employee  
14 that is protected under AS 18.80 or under federal law.

SENATE BILL NO. 122 am  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS SHARP, Frank, Taylor, Kelly, Rieger, Miller, Pearce, Donley

Amended: 3/25/93  
Introduced: 2/19/93

A BILL

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14 employee that is protected under AS 18.80 or under comparable federal law.

HOUSE CS FOR SENATE BILL NO. 122(JUD)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/13/93

Referred: Rules

Sponsor(s): SENATORS SHARP, Frank, Taylor, Kelly, Rieger, Miller, Pearce, Donley

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12 employer

13 (1) recklessly, knowingly, or with a malicious purpose disclosed false  
14 or deliberately misleading information; or

- 1 (2) disclosed information in violation of a civil right of the employee  
2 or former employee that is protected under AS 18.80 or under comparable federal law.