



LAWS OF ALASKA

1983

Source

SCS CSHB 375 (Jud) am S

Chapter No.

66

AN ACT

Relating to access to certain criminal justice information.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: July 15, 1983
Actual Effective Date: October 13, 1983

AN ACT

Relating to access to certain criminal justice information.

* Section 1. AS 12.62.030(a) is amended to read:

(a) Except as provided in (b) and (c) of this section and in AS 12.62.035, access to specified classes of criminal justice information in criminal justice information systems is available only to individual law enforcement agencies according to the specific needs of the agency under regulations established by the commission under AS 12.62.010. Criminal justice information may be used only for law enforcement purposes or for those additional lawful purposes necessary to the proper enforcement or administration of other provisions of law as the commission may prescribe by regulations established under AS 12.62.010. No criminal justice information may be disseminated to an agency before the commission determines the agency's eligibility to receive that information.

* Sec. 2. AS 12.62 is amended by adding a new section to read:

Sec. 12.62.035. ACCESS TO CERTAIN CRIME INFORMATION. (a) Notwithstanding any other provision of law, an interested person as defined in (e) of this section may request from the commission records of all convictions involving contributing to the delinquency of a minor and any sex crimes of a person who holds or applies for a position in which the person has or would have supervisory or disciplinary power over a minor. The commission shall authorize the disclosure of

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1 the information to the requesting interested person and shall provide
2 a copy of the information to the person who is the subject of the
3 request.

4 (b) A request for records under (a) of this section shall in-
5 clude within it the fingerprints of the person who is the subject of
6 the request and any other data specified in regulations established by
7 the commission. The request shall be on a form approved by the com-
8 mission, and the commission may charge a fee to be paid by the re-
9 questing interested person for the actual cost of processing the
10 request. The commission shall destroy an application within six
11 months after the requested information is sent to the requesting
12 interested person and the person who is the subject of the request.

13 (c) The commission shall adopt regulations to implement the
14 provisions of this section.

15 (d) If an individual is denied employment as a result of the
16 disclosure of inaccurate or incomplete records under this section, an
17 action may be brought against the state. No other action may be
18 brought against the state, or an agency or employee of the state, as a
19 result of disclosing or failing to disclose criminal justice informa-
20 tion.

21 (e) As used in this section

22 (1) "contributing to the delinquency of a minor" means a
23 conviction for a violation or attempted violation of AS 11.51.130(a)-
24 (1), (3), or (5) or for a violation or attempted violation of an
25 offense committed outside the state if the offense would have been a
26 crime in this state under AS 11.51.130(a)(1), (3), or (5) if committed
27 in the state;

28 (2) "interested person" means a corporation, company
29 partnership, firm, association, organization, business trust, o

