

HOUSE BILL NO. 188

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE DIBERT

Introduced: 5/3/23

Referred: State Affairs

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to animal adoption and foster care records."**

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

3 *** Section 1.** AS 40.25.120(a) is amended to read:

4 (a) Every person has a right to inspect a public record in the state, including
5 public records in recorders' offices, except

6 (1) records of vital statistics and adoption proceedings, which shall be
7 treated in the manner required by AS 18.50;

8 (2) records pertaining to juveniles unless disclosure is authorized by
9 law;

10 (3) medical and related public health records;

11 (4) records required to be kept confidential by a federal law or
12 regulation or by state law;

13 (5) to the extent the records are required to be kept confidential under
14 20 U.S.C. 1232g and the regulations adopted under 20 U.S.C. 1232g in order to secure
15 or retain federal assistance;

1 (6) records or information compiled for law enforcement purposes, but
2 only to the extent that the production of the law enforcement records or information

3 (A) could reasonably be expected to interfere with enforcement
4 proceedings;

5 (B) would deprive a person of a right to a fair trial or an
6 impartial adjudication;

7 (C) could reasonably be expected to constitute an unwarranted
8 invasion of the personal privacy of a suspect, defendant, victim, or witness;

9 (D) could reasonably be expected to disclose the identity of a
10 confidential source;

11 (E) would disclose confidential techniques and procedures for
12 law enforcement investigations or prosecutions;

13 (F) would disclose guidelines for law enforcement
14 investigations or prosecutions if the disclosure could reasonably be expected to
15 risk circumvention of the law; or

16 (G) could reasonably be expected to endanger the life or
17 physical safety of an individual;

18 (7) names, addresses, and other information identifying a person as a
19 participant in the Education Trust of Alaska under AS 14.40.802 or the advance
20 college tuition savings program under AS 14.40.803 - 14.40.817;

21 (8) public records containing information that would disclose or might
22 lead to the disclosure of a component in the process used to execute or adopt an
23 electronic signature if the disclosure would or might cause the electronic signature to
24 cease being under the sole control of the person using it;

25 (9) reports submitted under AS 05.25.030 concerning certain
26 collisions, accidents, or other casualties involving boats;

27 (10) records or information pertaining to a plan, program, or
28 procedures for establishing, maintaining, or restoring security in the state, or to a
29 detailed description or evaluation of systems, facilities, or infrastructure in the state,
30 but only to the extent that the production of the records or information

31 (A) could reasonably be expected to interfere with the

1 implementation or enforcement of the security plan, program, or procedures;

2 (B) would disclose confidential guidelines for investigations or
3 enforcement and the disclosure could reasonably be expected to risk
4 circumvention of the law; or

5 (C) could reasonably be expected to endanger the life or
6 physical safety of an individual or to present a real and substantial risk to the
7 public health and welfare;

8 (11) [REPEALED]

9 (12) records that are

10 (A) proprietary, privileged, or a trade secret in accordance with
11 AS 43.90.150 or 43.90.220(e);

12 (B) applications that are received under AS 43.90 until notice is
13 published under AS 43.90.160;

14 (13) information of the Alaska Gasline Development Corporation
15 created under AS 31.25.010 or a subsidiary of the Alaska Gasline Development
16 Corporation that is confidential by law or under a valid confidentiality agreement;

17 (14) information under AS 38.05.020(b)(11) that is subject to a
18 confidentiality agreement under AS 38.05.020(b)(12);

19 (15) records relating to proceedings under AS 09.58 (Alaska Medical
20 Assistance False Claim and Reporting Act);

21 (16) names, addresses, and other information identifying a person as a
22 participant in the Alaska savings program for eligible individuals under AS 06.65;

23 (17) artists' submissions made in response to an inquiry or solicitation
24 initiated by the Alaska State Council on the Arts under AS 44.27.060;

25 (18) records that are

26 (A) investigative files under AS 45.55.910; or

27 (B) confidential under AS 45.56.620;

28 **(19) records that include names, addresses, or other information**
29 **identifying a person who has adopted or is providing foster care for an animal.**