CS FOR HOUSE BILL NO. 316(FIN) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 4/15/18
Offered: 4/12/18

Sponsor(s): REPRESENTATIVES DRUMMOND, Tarr

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the release of certain records of convictions; and providing for an**

2 **effective date."**

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

4   * **Section 1.** AS 12.62.160 is amended by adding a new subsection to read:

5   (f) Notwithstanding (b)(8) of this section, the department may not release

6   records of a criminal case if the defendant

7   (1) applies to the department on a form provided by the department;

8   (2) was convicted under AS 11.71.060, or a municipal ordinance with

9   similar elements, for possession of less than one ounce of a schedule VIA controlled

10   substance;

11   (3) was 21 years of age or older at the time of commission of the

12   offense; and

13   (4) had all other criminal charges acquitted or dismissed in the case by

14   the prosecuting authority and were not dismissed as part of a plea agreement in

1   another criminal case under Rule 11, Alaska Rules of Criminal Procedure.

2   *** Sec. 2.** AS 22.35 is amended by adding a new section to read:

3   **Sec. 22.35.040. Records concerning criminal cases for marijuana**

4   **possession.** The Alaska Court System may not publish on a publicly available website

5   the court records of a defendant who

6   (1) was convicted under AS 11.71.060, or a municipal ordinance with

7   similar elements, for possession of less than one ounce of a schedule VIA controlled

8   substance;

9   (2) was 21 years of age or older at the time of commission of the

10   offense; and

11   (3) had all other criminal charges acquitted or dismissed in the case by

12   the prosecuting authority and were not dismissed as part of a plea agreement in

13   another criminal case under Rule 11, Alaska Rules of Criminal Procedure.

14   *** Sec. 3.** This Act takes effect 120 days after becoming law.