

**CS FOR SENATE BILL NO. 91(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

**BY THE SENATE STATE AFFAIRS COMMITTEE**

**Offered: 5/10/21**

**Referred: Judiciary**

**Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the right to representation by the Public Defender Agency; relating**  
2 **to the duties of the commissioner of corrections; relating to the detention of minors;**  
3 **relating to minors subject to adult courts; relating to the placement of minors in adult**  
4 **correctional facilities; and providing for an effective date."**

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

6 \* **Section 1.** AS 18.85.100(a) is amended to read:

7 (a) An indigent person who is under formal charge of having committed a  
8 serious crime and the crime has been the subject of an initial appearance or subsequent  
9 proceeding, or is being detained under a conviction of a serious crime, or is on  
10 probation or parole, or is entitled to representation under the Supreme Court  
11 Delinquency or Child in Need of Aid Rules **or at a review hearing under**  
12 **AS 47.12.105(f)**, or is isolated, quarantined, or required to be tested under an order  
13 issued under AS 18.15.355 - 18.15.395, or against whom commitment proceedings for  
14 mental illness have been initiated, is entitled

1 (1) to be represented, in connection with the crime or proceeding, by  
 2 an attorney to the same extent as a person retaining an attorney is entitled; and

3 (2) to be provided with the necessary services and facilities of this  
 4 representation, including investigation and other preparation.

5 \* **Sec. 2.** AS 33.30.011(a) is amended to read:

6 (a) The commissioner shall

7 (1) establish, maintain, operate, and control correctional facilities  
 8 suitable for the custody, care, and discipline of persons charged or convicted of  
 9 offenses against the state or held under authority of state law; each correctional facility  
 10 operated by the state shall be established, maintained, operated, and controlled in a  
 11 manner that is consistent with AS 33.30.015;

12 (2) classify prisoners;

13 (3) for persons committed to the custody of the commissioner,  
 14 establish programs, including furlough programs that are reasonably calculated to

15 (A) protect the public and the victims of crimes committed by  
 16 prisoners;

17 (B) maintain health;

18 (C) create or improve occupational skills;

19 (D) enhance educational qualifications;

20 (E) support court-ordered restitution; and

21 (F) otherwise provide for the rehabilitation and reformation of  
 22 prisoners, facilitating their reintegration into society;

23 (4) provide necessary

24 (A) medical services for prisoners in correctional facilities or  
 25 who are committed by a court to the custody of the commissioner, including  
 26 examinations for communicable and infectious diseases;

27 (B) psychological or psychiatric treatment if a physician or  
 28 other health care provider, exercising ordinary skill and care at the time of  
 29 observation, concludes that

30 (i) a prisoner exhibits symptoms of a serious disease or  
 31 injury that is curable or may be substantially alleviated; and

1 (ii) the potential for harm to the prisoner by reason of  
2 delay or denial of care is substantial; and

3 (C) assessment or screening of the risks and needs of offenders  
4 who may be vulnerable to harm, exploitation, or recidivism as a result of fetal  
5 alcohol syndrome, fetal alcohol spectrum disorder, or another brain-based  
6 disorder;

7 (5) establish minimum standards for sex offender treatment programs  
8 offered to persons who are committed to the custody of the commissioner;

9 (6) provide for fingerprinting in correctional facilities in accordance  
10 with AS 12.80.060;

11 (7) establish a program to conduct assessments of the risks and needs  
12 of offenders sentenced to serve a term of incarceration of 90 days or more; the  
13 program must include a requirement for an assessment before a prisoner's release on  
14 parole, furlough, or electronic monitoring from a correctional facility;

15 (8) establish a procedure that provides for each prisoner required to  
16 serve an active term of imprisonment of 90 days or more a written case plan that

17 (A) takes effect and is provided to the prisoner within 90 days  
18 after sentencing;

19 (B) is based on the results of the assessment of the prisoner's  
20 risks and needs under (7) of this subsection;

21 (C) includes a requirement to follow the rules of the institution;

22 (D) is modified when necessary for changes in classification,  
23 housing status, medical or mental health, and resource availability;

24 (E) includes participation in programming that addresses the  
25 needs identified in the assessment;

26 (9) establish a program to begin reentry planning with each prisoner  
27 serving an active term of imprisonment of 90 days or more; reentry planning must  
28 begin at least 90 days before release on furlough or probation or parole; the reentry  
29 program must include

30 (A) a written reentry plan for each prisoner completed upon  
31 release on furlough or probation or parole that includes information on the

1 prisoner's proposed

2 (i) residence;

3 (ii) employment or alternative means of support;

4 (iii) treatment options;

5 (iv) counseling services;

6 (v) education or job training services;

7 (B) any other requirements for successful transition back to the  
8 community, including electronic monitoring or furlough for the period between  
9 a scheduled parole hearing and parole eligibility;

10 (C) coordination with the Department of Labor and Workforce  
11 Development to provide access, after release, to job training and employment  
12 assistance; and

13 (D) coordination with community reentry coalitions or other  
14 providers of reentry services if available;

15 (10) for offenders under electronic monitoring, establish

16 (A) minimum standards for electronic monitoring, which may  
17 include the requirement of active, real-time monitoring using global  
18 positioning systems; and

19 (B) procedures for oversight and approving electronic  
20 monitoring programs and systems provided by private contractors;

21 (11) assist a prisoner in obtaining a valid state identification card if the  
22 prisoner does not have a valid state identification card before the prisoner's release; the  
23 department shall pay the application fee for the identification card; [AND]

24 (12) provide to the legislature, by electronic means, by January 10  
25 preceding the first regular session of each legislature, a report summarizing the  
26 findings and results of the program established under (7) of this subsection; the report  
27 must include

28 (A) the number of prisoners who were provided with written  
29 case plans under (8) of this subsection;

30 (B) the number of written case plans under (8) of this  
31 subsection initiated within the preceding year; and

1 (C) the number of written case plans under (8) of this  
2 subsection that were updated in the preceding year; **and**

3 **(13) enter into an agreement with the Department of Health and**  
4 **Social Services, consistent with the provisions of AS 47.12.105, for the detention**  
5 **and care of a minor who is waived into adult court under AS 47.12.030 or**  
6 **47.12.100.**

7 \* **Sec. 3.** AS 47.10.141(c) is amended to read:

8 (c) A minor may be taken into emergency protective custody by a peace  
9 officer and placed into temporary detention in a juvenile detention home in the local  
10 community if there has been an order issued by a court under **(k) of this section** [A  
11 FINDING OF PROBABLE CAUSE THAT (1) THE MINOR IS A RUNAWAY IN  
12 WILFUL VIOLATION OF A VALID COURT ORDER ISSUED UNDER  
13 AS 47.10.080(c)(1), 47.10.142(f), AS 47.12.120(b)(1) OR (3), OR 47.12.250(d), (2)  
14 THE MINOR'S CURRENT SITUATION POSES A SEVERE AND IMMINENT  
15 RISK TO THE MINOR'S LIFE OR SAFETY, AND (3) NO REASONABLE  
16 PLACEMENT ALTERNATIVE EXISTS WITHIN THE COMMUNITY]. A minor  
17 detained under this subsection shall be brought before a court on the day the minor is  
18 detained, or, if that is not possible, within 24 hours after the detention for a hearing to  
19 determine the most appropriate placement in the best interests of the minor. A minor  
20 taken into emergency protective custody under this subsection may not be detained for  
21 more than 24 hours, except as provided under **(k) of this section** [AS 47.12.250].  
22 Emergency protective custody may not include placement of a minor in a jail or secure  
23 facility other than a juvenile detention home, nor may an order for protective custody  
24 be enforced against a minor who is residing in a licensed program for runaway minors,  
25 as defined in AS 47.10.390.

26 \* **Sec. 4.** AS 47.10.141 is amended by adding a new subsection to read:

27 (k) The court shall issue a written order if the court determines that a minor  
28 shall be placed in a juvenile detention home as a result of violating a court order  
29 issued under AS 47.10.080(c)(1) or 47.10.142(f). An order issued under this  
30 subsection

31 (1) must include a finding of probable cause that the minor is a

1 runaway in wilful violation of a court order and identify the court order the minor has  
2 violated;

3 (2) must specify the factual basis for determining that there is  
4 reasonable cause to believe that the minor has violated a court order;

5 (3) must describe how the minor's current situation poses a severe and  
6 imminent risk to the minor's life or safety;

7 (4) must include findings of fact to support a determination that there  
8 is not an appropriate, less restrictive alternative to placing the minor in a juvenile  
9 detention home available, with due consideration to the best interests of the minor;

10 (5) must include a plan for the minor's release from the juvenile  
11 detention home in the least amount of time necessary, not to exceed seven days unless  
12 otherwise specified by the court;

13 (6) may not be renewed or extended.

14 \* **Sec. 5.** AS 47.12.020 is amended by adding a new subsection to read:

15 (c) The provisions of this chapter apply to the detention and care of a person  
16 who is alleged to have committed a violation of a criminal law of the state or local  
17 government, subject to the provisions of AS 47.12.030(a), 47.12.100, and 47.12.105.

18 \* **Sec. 6.** AS 47.12.022 is amended to read:

19 **Sec. 47.12.022. Applicability; inclusion of certain persons as minors.**

20 Except as provided in AS 47.12.025, the provisions of this chapter apply to a person  
21 who is 18 years of age or older and who is subject to the jurisdiction of this chapter  
22 due [SOLELY] to AS 47.12.020(b) **or (c)**. To implement AS 47.12.020(b) **and (c)** and  
23 this section, the term "minor" as used in this chapter includes a person described in  
24 this section.

25 \* **Sec. 7.** AS 47.12.030(a) is amended to read:

26 (a) When a minor who was at least 16 years of age at the time of the offense is  
27 charged by complaint, information, or indictment with an offense specified in this  
28 subsection, this chapter and the Alaska Delinquency Rules do not apply to the offense  
29 for which the minor is charged or to any additional offenses joinable to it under the  
30 applicable rules of court governing criminal procedure. **Subject to the provisions of**  
31 **AS 47.12.105, the** [THE] minor shall be charged, held, **transported**, released on bail,

1 prosecuted, sentenced, and incarcerated in the same manner as an adult. If the minor is  
 2 convicted of an offense other than an offense specified in this subsection, the minor  
 3 may attempt to prove, by a preponderance of the evidence, that the minor is amenable  
 4 to treatment under this chapter. If the court finds that the minor is amenable to  
 5 treatment under this chapter, the minor shall be treated as though the charges had been  
 6 heard under this chapter, and the court shall order disposition of the charges of which  
 7 the minor is convicted under AS 47.12.120(b). The provisions of this subsection apply  
 8 when the minor is charged by complaint, information, or indictment with an offense

9 (1) that is an unclassified felony or a class A felony and the felony is a  
 10 crime against a person;

11 (2) of arson in the first degree;

12 (3) that is a class B felony and the felony is a crime against a person in  
 13 which the minor is alleged to have used a deadly weapon in the commission of the  
 14 offense and the minor was previously adjudicated as a delinquent or convicted as an  
 15 adult, in this or another jurisdiction, as a result of an offense that involved use of a  
 16 deadly weapon in the commission of a crime against a person or an offense in another  
 17 jurisdiction having elements substantially identical to those of a crime against a  
 18 person, and the previous offense was punishable as a felony; in this paragraph, "deadly  
 19 weapon" has the meaning given in AS 11.81.900(b); or

20 (4) that is misconduct involving weapons in the first degree under

21 (A) AS 11.61.190(a)(1); or

22 (B) AS 11.61.190(a)(2) when the firearm was discharged under  
 23 circumstances manifesting substantial and unjustifiable risk of physical injury  
 24 to a person.

25 \* **Sec. 8.** AS 47.12.100(a) is amended to read:

26 (a) If the court finds at a hearing on a petition that there is probable cause for  
 27 believing that a minor is delinquent and finds that the minor is not amenable to  
 28 treatment under this chapter, it shall order the case closed. **Subject to the provisions**  
 29 **of AS 47.12.105, after** [AFTER] a case is closed under this subsection, the minor may  
 30 be **charged, held, transported, released on bail, prosecuted, sentenced, and**  
 31 **incarcerated in the same manner** [PROSECUTED] as an adult.

1 \* **Sec. 9.** AS 47.12 is amended by adding a new section to read:

2 **Sec. 47.12.105. Detention of minors waived into adult court.** (a) Except as  
3 provided in AS 47.12.240, the department, by agreement with the Department of  
4 Corrections, shall detain and care for waived minors. The department shall transfer a  
5 waived minor to a facility operated by the Department of Corrections when the waived  
6 minor reaches 18 years of age.

7 (b) Except as provided in (c) of this section, a waived minor held in an adult  
8 correctional facility for more than four hours to attend court proceedings must be  
9 separated by sight and sound from adult offenders.

10 (c) If there is not an available juvenile detention facility in a community where  
11 a trial is being held or if a juvenile facility is inappropriate for a waived minor, the  
12 department may request that the court order, in the interest of justice, that a waived  
13 minor be held in an adult correctional facility with or without sight and sound  
14 separation from adult offenders. In making this decision, the court shall consider

15 (1) the age of the waived minor;

16 (2) the physical and mental maturity of the waived minor;

17 (3) the present mental state of the waived minor, including whether the  
18 waived minor presents an imminent risk of harm to self;

19 (4) the nature and circumstances of the alleged offense;

20 (5) the waived minor's history of prior delinquent acts;

21 (6) the relative ability of an available adult or juvenile detention  
22 facility to meet the specific needs of the waived minor and protect the safety of the  
23 public and other detained minors; and

24 (7) other relevant factors.

25 (d) If a court determines under (c) of this section that it is in the interest of  
26 justice to permit a waived minor to be held in an adult correctional facility,

27 (1) the department shall request a hearing not less than once every 30  
28 days to review the determination that the waived minor may be held under the ordered  
29 circumstances;

30 (2) the waived minor may not be held in an adult correctional facility,  
31 or permitted to have sight or sound contact with adult offenders, for more than 180



1 days, unless the court determines in writing that there is good cause for an extension  
2 or the waived minor expressly waives this limitation.

3 (e) A waived minor detained under (a) of this section shall be detained in a  
4 secure juvenile facility and receive credit, including a good time deduction under  
5 AS 33.20.010, for time spent in a department facility pending trial, sentencing, or  
6 appeal, if the detention is in connection with an offense for which a sentence is  
7 imposed.

8 (f) A waived minor who is detained in an adult correctional facility under (c)  
9 of this section is entitled to counsel at a review hearing held under (d) of this section.

10 (g) In this section, "waived minor" means an individual who commits an  
11 offense while under the age of 18 and is waived into adult court under AS 47.12.030  
12 or 47.12.100.

13 \* **Sec. 10.** AS 47.12.150(a) is amended to read:

14 (a) When a minor is committed **to the department** under AS 47.12.120(b)(1)  
15 or (3) **or 47.12.240, detained by the department on behalf of the Department of**  
16 **Corrections under AS 33.30.011 and AS 47.12.105,** [TO THE DEPARTMENT] or  
17 released under AS 47.12.120(b)(2) to the minor's parents, guardian, or other suitable  
18 person, a relationship of legal custody exists. This relationship imposes on the **state**  
19 [DEPARTMENT] and its authorized agents or the parents, guardian, or other suitable  
20 person the responsibility of physical care and control of the minor, the determination  
21 of where and with whom the minor shall live, the right and duty to protect, train, and  
22 discipline the minor, and the duty of providing the minor with food, shelter, education,  
23 and medical care. These obligations are subject to any residual parental rights and  
24 responsibilities and rights and responsibilities of a guardian if one has been appointed.  
25 When a minor is committed to the department and the department places the minor  
26 with the minor's parent, the parent has the responsibility to provide and pay for food,  
27 shelter, education, and medical care for the minor. When parental rights have been  
28 terminated, or there are no living parents and a guardian has not been appointed, the  
29 responsibilities of legal custody include those in (b) and (c) of this section. The  
30 department or person having legal custody of the minor may delegate any of the  
31 responsibilities under this section, except authority to consent to marriage, adoption,

1 and military enlistment may not be delegated. For purposes of this chapter, a person in  
2 charge of a placement setting is an agent of the department.

3 \* **Sec. 11.** AS 47.12.160(e) is amended to read:

4 (e) If a petition is filed under (d) of this section and if the court finds by a  
5 preponderance of the evidence that the minor has committed a subsequent felony  
6 offense that is a crime against a person or is the crime of arson, the court shall impose  
7 the adult sentence previously pronounced under AS 47.12.120(j) and, **subject to**  
8 **AS 47.12.105**, transfer custody of the minor to the Department of Corrections. If the  
9 court finds by a preponderance of the evidence that any of the other circumstances set  
10 out in (d)(1) - (5) of this section exist, the court shall impose the adult sentence  
11 previously pronounced and, **subject to AS 47.12.105**, transfer custody of the minor to  
12 the Department of Corrections unless the minor proves by preponderance of the  
13 evidence that mitigating circumstances exist that justify a continuance in the stay of  
14 the adult sentence and the minor is amenable to further treatment under this chapter.  
15 The court shall make written findings to support its order.

16 \* **Sec. 12.** AS 47.12.240(a) is amended to read:

17 (a) When the court commits a minor to the custody of the department, the  
18 department shall arrange to place the minor in a detention home, work camp, or  
19 another suitable place that the department designates for that purpose. Except when  
20 detention in a correctional facility is authorized by **AS 47.12.105 or** (c) of this section,  
21 the minor may not be incarcerated in a correctional facility that houses adult prisoners.

22 \* **Sec. 13.** AS 47.12.240(c) is amended to read:

23 (c) Notwithstanding (a) of this section, a minor may be incarcerated in a  
24 correctional facility

25 [(1)] if the minor is **arrested for criminal charges under**  
26 **AS 47.12.030(a), if the minor is** the subject of a petition filed with the court under  
27 this chapter seeking adjudication of the minor as a delinquent minor, or if the minor is  
28 in official detention pending the filing of that petition; however, detention in a  
29 correctional facility under this paragraph may not exceed the lesser of

30 **(1)** [(A)] six hours, except under the criteria listed in (e) of this section;

31 or

1                   (2) [(B)] the time necessary to arrange the minor's transportation to a  
2 juvenile detention home or comparable facility for the detention of minors [;

3                   (2) IF, IN RESPONSE TO A PETITION OF DELINQUENCY FILED  
4 UNDER THIS CHAPTER, THE COURT HAS ENTERED AN ORDER CLOSING  
5 THE CASE UNDER AS 47.12.100(a), ALLOWING THE MINOR TO BE  
6 PROSECUTED AS AN ADULT; OR

7                   (3) IF THE MINOR IS AT LEAST 16 YEARS OF AGE AND THE  
8 COURT HAS ENTERED AN ORDER UNDER AS 47.12.160(e) IMPOSING AN  
9 ADULT SENTENCE AND TRANSFERRING CUSTODY OF THE MINOR TO  
10 THE DEPARTMENT OF CORRECTIONS].

11 \* **Sec. 14.** AS 47.12.240(d) is amended to read:

12                   (d) When a minor is detained under (c) [(c)(1)] of this section and incarcerated  
13 in a correctional facility, the minor shall be

14                   (1) assigned to quarters in the correctional facility that are separate  
15 from quarters used to house adult prisoners so that the minor cannot communicate  
16 with or view adults who are in official detention;

17                   (2) provided admission, health care, hygiene, and food services and  
18 recreation and visitation opportunities separate from services and opportunities  
19 provided to adults who are in official detention.

20 \* **Sec. 15.** AS 47.12.240(e) is amended to read:

21                   (e) Notwithstanding the limitation on detention set out in (c) [(c)(1)] of this  
22 section, a minor whose detention is authorized by (c) [(c)(1)] of this section may be  
23 detained in a correctional facility for up to 24 hours when the authority having  
24 jurisdiction over the minor under this chapter is outside a metropolitan statistical area  
25 under the current designation of the United States Bureau of the Census and the  
26 authority has no existing acceptable alternative placement available for the minor. The  
27 minor may be held in secure custody beyond the 24-hour period if the criteria set out  
28 in this subsection are met and if the correctional facility is located where conditions of

29                   (1) distance to be traveled or the lack of highway, road, or other  
30 ground transportation do not allow for court appearances within 24 hours, in which  
31 case the minor may be held for up to an additional 48 hours at the correctional facility;

1 or

2 (2) lack of safety exist, such as severely adverse, life-threatening  
3 weather conditions that do not allow for reasonably safe travel, in which case the time  
4 for an appearance may be delayed until 24 hours after the time that the conditions  
5 become safe.

6 \* **Sec. 16.** AS 47.12.240(f) is amended to read:

7 (f) A detention authorized by (e) of this section may not exceed the time  
8 necessary to satisfy the requirement of **(c)(2)** [(c)(1)(B)] of this section.

9 \* **Sec. 17.** AS 47.12.250(a) is amended to read:

10 (a) A peace officer or a probation officer who has arrested or a peace officer  
11 who has continued the arrest of a minor under AS 47.12.245 **or for criminal charges**  
12 **under AS 47.12.030** may

13 (1) have the minor detained in a juvenile detention facility if in the  
14 opinion of the peace officer making or continuing the arrest it is necessary to do so to  
15 protect the minor or the community; however, the department may direct that a minor  
16 **who is subject to delinquency proceedings and** who was arrested or whose arrest  
17 was continued be released from detention before the hearing required by (c) of this  
18 section;

19 (2) before taking the minor to a juvenile detention facility, release the  
20 minor to the minor's parents or guardian if detention is not necessary to

21 (A) protect the minor or the community; or

22 (B) ensure the minor's attendance at subsequent court hearings.

23 \* **Sec. 18.** AS 47.12.250 is amended by adding a new subsection to read:

24 (f) A minor arrested for criminal charges under AS 47.12.030 is subject to  
25 adult court proceedings and shall be held in a juvenile detention facility under  
26 AS 47.12.105. A minor arrested under this section may be temporarily held in an adult  
27 correctional facility under the conditions set out in AS 47.12.240(c).

28 \* **Sec. 19.** AS 47.12.310(b) is amended to read:

29 (b) A state or municipal agency or employee shall disclose

30 (1) information regarding a case to a federal, state, or municipal law  
31 enforcement agency for a specific investigation being conducted by that agency;

1 (2) appropriate information regarding a case to

2 (A) a guardian ad litem appointed by the court;

3 (B) a person or an agency requested by the department or the  
4 minor's legal custodian to provide consultation or services for a minor who is  
5 subject to the jurisdiction of the court under this chapter as necessary to enable  
6 the provision of the consultation or services;

7 (C) school officials as may be necessary to protect the safety of  
8 the minor who is the subject of the case and the safety of school students and  
9 staff or to enable the school to provide appropriate counseling and supportive  
10 services to meet the needs of a minor about whom information is disclosed;

11 (D) a governmental agency as may be necessary to obtain that  
12 agency's assistance for the department in its investigation or to obtain physical  
13 custody of a minor;

14 (E) a law enforcement or corrections agency of this state or  
15 another jurisdiction as may be necessary for the protection, rehabilitation, care,  
16 or supervision of any minor or former juvenile offender or for actions by that  
17 agency to protect the public safety;

18 (F) a victim or to the victim's insurance company as may be  
19 necessary to inform the victim or the insurance company about the arrest of the  
20 minor, including the minor's name and the names of the minor's parents, copies  
21 of reports, or the disposition or resolution of a case involving a minor;

22 (G) the state medical examiner under AS 12.65 as may be  
23 necessary to perform the duties of the state medical examiner;

24 (H) foster parents or relatives with whom the child is placed by  
25 the department as may be necessary to enable the foster parents or relatives to  
26 provide appropriate care for the child who is the subject of the case, to protect  
27 the safety of the child who is the subject of the case, and to protect the safety  
28 and property of family members and visitors of the foster parents or relatives;

29 (I) the Department of Law or its agent for use and subsequent  
30 release if necessary for collection of an order of restitution on behalf of the  
31 recipient;

1 (J) the Violent Crimes Compensation Board established in  
2 AS 18.67.020 for use in awarding compensation under AS 18.67.080;

3 (K) a state, municipal, or federal agency of this state or another  
4 jurisdiction that has the authority to license adult or children's facilities and  
5 services;

6 (L) a child placement agency licensed under AS 47.32 as  
7 necessary to provide services for a minor who is subject to the jurisdiction of  
8 the court under this chapter; [AND]

9 (M) a state or municipal agency of this state or another  
10 jurisdiction that is responsible for child protection services, as may be  
11 necessary for the administration of services, protection, rehabilitation, or  
12 supervision of a minor or for actions by the agency to protect the public safety;

13 **and**

14 **(N) the Department of Corrections as necessary for the**  
15 **administration of services, protection, rehabilitation, or supervision of any**  
16 **minor for release to the public as authorized by law, or as necessary to**  
17 **transfer detention of a minor who is waived into adult court under**  
18 **AS 47.12.030 or 47.12.100 and held under AS 47.12.105;** and

19 (3) to the University of Alaska under the Alaska higher education  
20 savings program for children established under AS 47.14.400 information that is  
21 necessary to support the program, but only if the information released is maintained as  
22 a confidential record by the University of Alaska.

23 \* **Sec. 20.** The uncodified law of the State of Alaska is amended by adding a new section to  
24 read:

25 APPLICABILITY. This Act applies to minors subject to AS 47.12.030(a) and  
26 47.12.100 who are held in a facility operated by the Department of Corrections or a facility  
27 operated by the Department of Health and Social Services on or after the effective date of this  
28 Act.

29 \* **Sec. 21.** This Act takes effect July 1, 2021.