

13 AAC 85.210(a) is amended to read:

(a) A person may not be hired as a probation, parole, or correctional officer unless **at the time of hire** the person [MEETS THE FOLLOWING MINIMUM QUALIFICATIONS AT THE TIME OF HIRE]:

(1) is a citizen of the United States or a United States National;

(2) **meets the following minimum age requirements:**

(A) for a probation or parole officer, [IS] 21 years of age or older;

(B) for a correctional officer, 18 years of age or older;

(3) is of good moral character;

(4) has a high school diploma recognized by a state, has a diploma from a home school program recognized or certified by a state or by a local school district within a state as having met that state's graduation requirements, or has passed a General Educational Development (GED) test;

(5) is certified by a licensed physician, advanced practice registered nurse, or physician assistant on a medical record form supplied by the council to be physically capable of performing the essential functions of the job of probation, parole, or correctional officer;

(6) has taken the Department of Corrections' psychological screening examination and is mentally capable of performing the essential functions of the job of probation, parole, or correctional officer and is free from any emotional disorder that may adversely affect the person's performance as a probation, parole, or correctional officer.

13 AAC 85.210(b)(3) is amended to read:

(3) has illegally manufactured, transported, or sold a controlled substance, unless the person was under the **minimum age requirements set out in (a)(2) of this section** [AGE OF 21] at the time of the act and the act occurred more than 10 years before the date of hire;

13 AAC 85.210(b)(4)(A) is amended to read:

(A) the person was under the **minimum age requirements set out in (a)(2) of this section** [AGE OF 21] at the time of using the controlled substance; or

13 AAC 85.210(b)(5) is amended to read:

(5) within the one year before the date of hire, has used marijuana, unless the person was under the **minimum age requirements set out in (a)(2) of this section** [AGE OF 21] at the time of using marijuana;

(Eff. 8/8/90, Register 115; am 10/24/92, Register 124; am 8/5/95, Register 135; am 7/15/98, Register 147; am 2/20/99, Register 149; am 8/16/2000, Register 155; am 3/25/2001, Register 157; am 4/12/2001, Register 158; am 8/8/2007, Register 183; am 2/13/2010, Register 193; am 9/24/2016, Register 219; am 9/1/2017, Register 223; am 8/28/2020, Register 236; am ____/____/____, Register ____)

Authority: AS 18.65.220 AS 18.65.242 AS 18.65.248

13 AAC 85.900(9) is amended to read:

(9) "misdemeanor" means a crime classified as a misdemeanor in **the state** [ALASKA] at the time the crime was committed; a crime committed in another jurisdiction for which there was a conviction in that jurisdiction by a civilian or military court is a misdemeanor

conviction if the crime has elements similar to those of a misdemeanor under **state** [ALASKA] law at the time the offense was committed; for purposes of determining whether, under this paragraph, a crime is to be considered a misdemeanor or whether a conviction is to be considered a misdemeanor conviction, an offense punishable as a misdemeanor in **the state** [ALASKA] or under the law of another jurisdiction that results in a completed suspended imposition of sentence, expungement of record, or a pardon is a misdemeanor conviction unless the offense was committed by the person before **minimum age requirements set out in 13 AAC**

85.210(a)(2);

(Eff. 8/10/73, Register 47; am 8/10/80, Register 75; am 9/23/84, Register 91; am 3/16/89, Register 109; am 8/8/90, Register 115; am 10/24/92, Register 124; am 9/6/96, Register 139; am 7/15/98, Register 147; am 3/25/2001, Register 157; am 4/12/2001, Register 158; am 6/13/2002, Register 162; am 8/8/2007, Register 183; am 2/13/2010, Register 193; am 9/24/2016, Register 219; am 4/6/2018, Register 226; am 6/17/2020, Register 234)

Authority: AS 18.65.220 AS 18.65.242 AS 18.65.290
AS 18.65.240 AS 18.65.285