

**HOUSE BILL NO. 218**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-NINTH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE LYNN**

**Introduced: 1/8/16**  
**Referred: Prefiled**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to marriages at correctional facilities; relating to conjugal visitation;**  
2 **and relating to designation of correctional facilities."**

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

4 **\* Section 1.** AS 25.05.121 is amended to read:

5 **Sec. 25.05.121. Marriage license.** The marriage license issued by a licensing  
6 officer in this state authorizes the marriage ceremony to be performed anywhere in the  
7 state, except for a correctional facility. The license shall be directed "to any person  
8 authorized by the laws of this state to solemnize marriage," and shall authorize that  
9 person to solemnize marriage between the parties identified by the license within three  
10 months of the date of the license. If either party is not of legal age for marriage, that  
11 party's age and the fact of the consent of the parents or guardian of the underaged  
12 party shall be stated. If either party has previously been married, the number of  
13 previous marriages shall be stated. The registrar may require other matter necessary to  
14 identify the parties to be included in the license. The issuance of a license does not

1 remove or dispense with any legal disability, impediment, or prohibition rendering  
2 marriage between the parties illegal, and a statement to that effect shall be included in  
3 the license. **In this section, "correctional facility" has the meaning given in**  
4 **AS 33.30.901.**

5 \* **Sec. 2.** AS 33.30.015 is amended by adding a new subsection to read:

6 (f) The commissioner may not allow a prisoner held in a state correctional  
7 facility operated by the state to have conjugal visitation.

8 \* **Sec. 3.** AS 33.30 is amended by adding a new section to article 1 to read:

9 **Sec. 33.30.045. Marriages prohibited at correctional facilities.** The  
10 commissioner may not authorize a person to perform a marriage ceremony at a  
11 correctional facility in this state.

12 \* **Sec. 4.** AS 33.30.061(a) is amended to read:

13 (a) The commissioner shall designate the correctional facility to which a  
14 prisoner is to be committed to serve a term of imprisonment or period of temporary  
15 commitment. The commissioner may designate a facility without regard to whether it  
16 is maintained by the state, is located within the judicial district in which the prisoner  
17 was convicted, or is located in the state. **The commissioner may not designate a**  
18 **correctional facility for a prisoner that is the same correctional facility to which**  
19 **the prisoner's spouse has been committed.**