

UNIFORM LAW COMMISSION ITEMS OF INTEREST FOR ALASKA

- 1) **Commerce** – Uniform Commercial Code (UCC). The Uniform Law Commission developed what are the standards for transacting business throughout the United States. The UCC was proposed because it was increasingly difficult for companies to transact business across state lines given the various state laws. Virtually all states have enacted some form of the UCC.

What's new? The Uniform Law Commission has established a drafting committee on Uniform Commercial Code and Emerging Technologies to adapt the UCC to emerging technologies. For example, the committee will address controllable electronic records, such as virtual currency and nonfungible tokens (NFTs), that are arising from new technologies. Currently, uncertainty exists as to the legal criteria governing controllable electronic records. This uncertainty creates commercial risk.

- 2) **Electronic Wills** - The Uniform Law Commission has developed the Uniform Electronic Wills Act to allow an individual to execute an electronic will and the court to give electronic wills legal effect. Brings the law on wills into the electronic age by allowing on-line execution of wills and witnessing of wills. It is important for interstate recognition of electronic wills especially with a travelling public that commonly uses electronics for important legal transactions.

What's new? During the pandemic, the State of Alaska had laws allowing witnessing of will signing by videoconference. (See Sec. 25, FCCS SB 241, 31st Leg.). This provision has expired. The Alaska State Legislature may wish to review the Uniform Electronic Will Act to address this reoccurring situation.

- 3) **Cybercrime** – The Uniform Law Commission is studying the need for and feasibility of a uniform act on cybercrime in response to a request by the National Sheriff's Association. Topics being considered include updates to state law to address technological developments and gaps in existing state laws, and whether civil fines and other remedies might be an appropriate supplement to criminal penalties.

What's new? The commission's study welcomes participation by observers who have an interest in cybercrime. Topics of interest to Alaska could be raised.