

CS FOR HOUSE BILL NO. 364(JUD) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Amended: 4/3/96

Offered: 3/14/96

Sponsor(s): REPRESENTATIVE BUNDE

A BILL

FOR AN ACT ENTITLED

1 "An Act amending, in the Election Code, the definition of the offense of unlawful
2 interference with voting in the first degree, a class C felony, and adding, for all
3 'knowing' violations of election offenses set out in the Election Code, a cross-
4 reference to the definition of the word 'knowing' in the Criminal Code."

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

6 * **Section 1.** AS 15.56.030(a) is amended to read:

7 (a) A person commits the crime of unlawful interference with voting in the first
8 degree if the person

9 (1) uses, threatens to use, or causes to be used force, coercion, violence,
10 or restraint, [;] or [IF THE PERSON] inflicts, threatens to inflict, or causes to be
11 inflicted damage, harm, or loss, upon or against another person to induce or compel that
12 person to vote or refrain from voting [FOR A CANDIDATE] in an election [OR FOR
13 ANY ELECTION PROPOSITION OR QUESTION];

14 (2) knowingly pays, offers to pay [GIVES, PROMISES TO GIVE,

1 OFFERS], or causes to be paid [GIVEN OR OFFERED] money or other valuable thing
2 to a person [WITH THE INTENT TO INDUCE THE PERSON] to vote [FOR] or refrain
3 from voting in [FOR A CANDIDATE AT] an election [OR FOR AN ELECTION
4 PROPOSITION OR QUESTION]; or

5 (3) solicits, accepts, or agrees to accept money or other valuable thing
6 with the intent to vote for or refrain from voting for a candidate at an election or for an
7 election proposition or question.

8 * Sec. 2. AS 15.56.030 is amended by adding a new subsection to read:

9 (d) For purposes of (a)(2) and (3) of this section, "other valuable thing"

10 (1) includes, but is not limited to,

11 (A) an entry in a game of chance in which a prize of money or
12 other present or future pecuniary gain or advantage may be awarded to a
13 participant wherein the total of the prize(s) offered are greater than two dollars
14 per participant with a maximum of one hundred dollars; and

15 (B) government employment or benefits;

16 (2) does not include

17 (A) materials having a nominal value bearing the name, likeness,
18 or other identification of a candidate, political party, political group, party district
19 committee, or organization, or stating a position on a ballot proposition or
20 question;

21 (B) food and refreshments provided incidental to an activity that
22 is nonpartisan in nature and directed at encouraging persons to vote, or
23 incidental to a gathering in support of or in opposition to a candidate, political
24 party, political group, party district committee, organization, or ballot question
25 or proposition;

26 (C) care of the voter's dependents provided in connection with
27 the absence of a voter from home for the purpose of voting;

28 (D) services provided by a person acting as a personal
29 representative as defined in AS 15.20.071;

30 (E) services provided by an election official as defined in
31 AS 15.60.010; and

32 (F) transportation of a voter to or from the polls without charge.

1 * **Sec. 3.** AS 15.56 is amended by adding a new section to read:
2 Sec. 15.56.199. DEFINITIONS. In this chapter,
3 (1) "election" includes a local election as defined in AS 15.60.010 in
4 addition to a state election;
5 (2) "knowingly" has the meaning given in AS 11.81.900(a).
6 * **Sec. 4.** AS 15.56.120 is repealed.