



SENATOR JESSE KIEHL

March 6, 2026

TO: Alaska State Legislators

FROM: Senator Jesse Kiehl

RE: SB 258, Fair Software Licensing

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After introducing Senate Bill 258, I found a model act by the American Legislative Exchange Council containing similar provisions. You can find the entire model bill here: <https://alec.org/model-policy/neutrality-and-integrity-in-software-procurement-act/>

The ALEC model includes several things already covered by Alaska procurement rules. The language covering fair software licensing reads:

“A contract for the licensing of software applications that are designed to run on a generally available desktop or server hardware shall not limit a Public Agency’s ability to install or run the software on the hardware of the governmental body’s choosing.

“However, nothing in this Act shall preclude Public Agencies from considering the effect of specific licensing terms in software procurement decisions, including licensing terms that govern the availability of Software Source Code, rights and restrictions regarding software modification, redistribution, warranties, and intellectual property indemnification.”

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ALASKA SENATE

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