

CS FOR HOUSE BILL NO. 3(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/20/21

Referred: Rules

Sponsor(s): REPRESENTATIVES JOHNSON, McCabe, Schrage, Kaufman, Rauscher

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the definition of 'disaster.'"**

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

3 * **Section 1.** AS 26.23.900(2) is amended to read:

4 (2) "disaster" means the occurrence or imminent threat of widespread
5 or severe damage, injury, loss of life or property, or shortage of food, water, or fuel
6 resulting from

7 (A) an incident such as storm, high water, wind-driven water,
8 tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide,
9 avalanche, snowstorm, prolonged extreme cold, drought, fire, flood, epidemic,
10 explosion, or riot;

11 (B) the release of oil or a hazardous substance if the release
12 requires prompt action to avert environmental danger or mitigate
13 environmental damage;

14 (C) equipment failure if the failure is not a predictably frequent
15 or recurring event or preventable by adequate equipment maintenance or

1 operation;

2 (D) enemy or terrorist attack or a credible threat of imminent
3 enemy or terrorist attack in or against the state that the adjutant general of the
4 Department of Military and Veterans' Affairs or a designee of the adjutant
5 general, in consultation with the commissioner of public safety or a designee of
6 the commissioner of public safety, certifies to the governor has a high
7 probability of occurring in the near future; the certification must meet the
8 standards of AS 26.20.040(c); in this subparagraph, "attack" has the meaning
9 given under AS 26.20.200; [OR]

10 (E) an outbreak of disease or a credible threat of an imminent
11 outbreak of disease that the commissioner of health and social services or a
12 designee of the commissioner of health and social services certifies to the
13 governor has a high probability of occurring in the near future; the certification
14 must be based on specific information received from a local, state, federal, or
15 international agency, or another source that the commissioner or the designee
16 determines is reliable; or

17 (F) a cyber attack that affects critical infrastructure in the
18 state, an information system owned or operated by the state or a political
19 subdivision of the state, information that is stored on, processed by, or
20 transmitted on an information system owned or operated by the state or a
21 political subdivision of the state, or a credible threat of an imminent cyber
22 attack or cyber event that the commissioner of administration or
23 commissioner's designee certifies to the governor has a high probability of
24 occurring in the near future; the certification must be based on specific
25 information that critical infrastructure in the state, an information system
26 owned or operated by the state or a political subdivision of the state, or
27 information that is stored on, processed by, or transmitted on an
28 information system owned or operated by the state or a political
29 subdivision of the state may be affected; in this subparagraph, "critical
30 infrastructure" means systems and assets, whether physical or virtual, so
31 vital to the state that the incapacity or destruction of the systems and

- 1 assets would have a debilitating effect on security, state economic security,
- 2 state public health or safety, or any combination of those matters;