

HOUSE BILL NO. 130

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Introduced: 3/22/23

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the crimes of unlawful interference with an election, election fraud,**
2 **and election official misconduct; and providing for an effective date."**

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

4 *** Section 1.** AS 15.56.060(a) is amended to read:

5 (a) A person commits the crime of unlawful interference with an election if
6 the person

7 (1) induces or attempts to induce an election official to fail in the
8 official's duty by force, threat, intimidation, or offers of reward;

9 (2) intentionally changes, attempts to change, or causes to be changed
10 an official election document including ballots, tallies, and returns;

11 (3) intentionally delays, attempts to delay, or causes to be delayed the
12 sending of the certificate, register, ballots, or other materials whether original or
13 duplicate, required to be sent by AS 15.15.370; [OR]

14 (4) is contracted or employed by the state to print or reproduce in any

1 manner an official ballot, and the person knowingly

2 (A) personally appropriates, or gives or delivers to, or permits
3 to be taken by anyone other than a person authorized by the director, official
4 ballots; or

5 (B) prints or reproduces or has printed or reproduced official
6 ballots in a form or with a content other than that prescribed by law or as
7 directed by the director;

8 **(5) intentionally opens or tampers with a signed absentee ballot**
9 **certificate, sealed absentee ballot envelope, or package of ballots without express**
10 **authorization from the director; or**

11 **(6) intentionally breaches, hacks, alters, or tampers with election**
12 **machinery, including a tabulator, a program, a system, a server, or software used**
13 **to verify identity, count or tabulate, or manage or control an election function.**

14 * **Sec. 2.** AS 15.56 is amended by adding a new section to read:

15 **Sec. 15.56.065. Election fraud.** (a) A person commits the crime of election
16 fraud if the person violates AS 15.56.060 with the intent to change the outcome of an
17 election.

18 (b) Election fraud is a class B felony.

19 * **Sec. 3.** AS 15.56.070(a) is amended to read:

20 (a) A person commits the crime of election official misconduct in the first
21 degree if while an election official, the person

22 (1) intentionally fails to perform an election duty or knowingly does an
23 unauthorized act with the intent to affect an election or its results;

24 (2) knowingly permits or makes or attempts to make a false count of
25 election returns; [OR]

26 (3) intentionally conceals, withholds, destroys, or attempts to conceal,
27 withhold, or destroy election returns; **or**

28 **(4) knowingly discloses, shares, or reports to a person who is not**
29 **an election official election results, returns, or any confidential election data**
30 **before the polls close on election day.**

31 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 APPLICABILITY. AS 15.56.060(a), as amended by sec. 1 of this Act, AS 15.56.065,
3 enacted by sec. 2 of this Act, and AS 15.56.070(a), as amended by sec. 3 of this Act, apply to
4 offenses committed on or after the effective date of secs. 1 - 3 of this Act.

5 * **Sec. 5.** This Act takes effect July 1, 2023.