

CS FOR HOUSE BILL NO. 319(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 3/27/98

Referred: Judiciary

Sponsor(s): REPRESENTATIVE ROKEBERG

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to an employee's expectation of privacy in employer premises."

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

3 * Section 1. AS 23.10 is amended by adding a new section to article 7 to read:

4 Sec. 23.10.450. No employee expectation of privacy in employment site.

5 (a) In the absence of a specific written agreement to the contrary, an employee has
6 no expectation of privacy with respect to business premises, business equipment, and
7 services supplied by the employer, and an employer may have reasonable access to
8 business premises, business equipment, and services supplied by the employer to the
9 employee. In the absence of a written agreement permitting the employee to limit the
10 employer's access to business premises, business equipment, and services, an employee
11 shall permit the employer to have access to the employer's business premises, business
12 equipment, and services, including information stored on a computer or computer
13 network or other service supplied by the employer.

14 (b) An elected official is not an employee for purposes of this section.

15 (c) In this section,

1 (1) "elected official" means the governor, the lieutenant governor, a
2 member of the legislature, a justice or judge, or a person elected to municipal office;

3 (2) "employer" means a person who has one or more employees and
4 includes the state, the University of Alaska, the Alaska Railroad, and political
5 subdivisions and public corporations of the state.