

HOUSE BILL NO. 154

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KEMPLER

Introduced: 3/24/99

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the use of laser sighting devices."**

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

3 *** Section 1.** AS 11.61.110(a) is amended to read:

4 (a) A person commits the crime of disorderly conduct if [,]

5 (1) with intent to disturb the peace and privacy of another not
6 physically on the same premises or with reckless disregard that the conduct is having
7 that effect after being informed that it is having that effect, the person makes
8 unreasonably loud noise;

9 (2) in a public place or in a private place of another without consent,
10 and with intent to disturb the peace and privacy of another or with reckless disregard
11 that the conduct is having that effect after being informed that it is having that effect,
12 the person makes unreasonably loud noise;

13 (3) in a public place, when a crime has occurred, the person refuses to
14 comply with a lawful order of a peace officer to disperse;

15 (4) in a private place, the person refuses to comply with an order of a

1 peace officer to leave premises in which the person has neither a right of possession
2 nor the express invitation to remain of a person having a right of possession;

3 (5) in a public or private place, the person challenges another to fight
4 or engages in fighting other than in self-defense;

5 (6) the person recklessly creates a hazardous condition for others by an
6 act **that** [WHICH] has no legal justification or excuse; [OR]

7 (7) the offender intentionally exposes the offender's buttock or anus to
8 another with reckless disregard for the offensive or insulting effect the act may have
9 on that person; **or**

10 **(8) the person knowingly aims, shines, focuses, or points a laser**
11 **sighting device at or upon another with reckless disregard for the offensive,**
12 **threatening, harassing, annoying, or distracting effect the act may have on the**
13 **other person.**

14 * **Sec. 2.** AS 11.61.110(c) is amended to read:

15 (c) Disorderly conduct is a class B misdemeanor and is punishable as
16 authorized in AS 12.55 except that, **if** a sentence of imprisonment **is** [, IF] imposed **for**
17 **a violation of**

18 **(1) (a)(1) - (7) of this section, the sentence of imprisonment** [,] shall
19 be for a definite term of not more than 10 days;

20 **(2) (a)(8) of this section, and the person the laser sighting device**
21 **was aimed, shined, focused, or pointed at or upon was not a uniformed or**
22 **otherwise clearly identified peace officer who was engaged in the performance of**
23 **official duties, the sentence of imprisonment shall be for a definite term of not**
24 **more than 10 days.**

25 * **Sec. 3.** AS 11.61.110 is amended by adding a new subsection to read:

26 (d) In this section, "laser sighting device" means a hand-held device that emits
27 a laser light or beam that is designed to be used by its operator to indicate, mark, or
28 identify a specific position, place, item, or object.