

HOUSE BILL NO. 19

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE BERKOWITZ

Introduced: 1/8/01
Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to invasion of privacy of another."**

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

3 *** Section 1.** AS 09.65 is amended by adding a new section to read:

4 **Sec. 09.65.245. Civil liability for invasion of privacy.** (a) Except as
5 provided in (b) of this section, unless the person has the consent of all persons
6 observed, photographed, or recorded, a person who photographs, observes, or records
7 the activities of another individual that occurred in a private place and out of public
8 view for the purpose of invading the privacy of another is liable to the person
9 observed, photographed, or recorded. A person who goes on or about the premises of
10 another, or into any private place, for the purpose of invading the privacy of another
11 by eavesdropping on a conversation or secretly observing another is liable to a person
12 whose privacy was invaded as described in this subsection.

13 (b) This section does not apply to the observation, eavesdropping,
14 photography, or recording of the activities of a person

15 (1) incarcerated in a jail, correctional facility, or other facility in

1 which persons who are charged with or who have been convicted of the commission
2 of a crime are incarcerated; however, this section does apply to the observation,
3 eavesdropping, photography, or recording of a conversation protected by the attorney-
4 client privilege;

5 (2) in accordance with a warrant; or

6 (3) for medical purposes.

7 (c) A person may bring an action for damages for, and to enjoin and restrain, a
8 violation of this section.