

**CS FOR HOUSE BILL NO. 3(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

**BY THE HOUSE JUDICIARY COMMITTEE**

**Offered: 3/20/21**

**Referred: Rules**

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

**SENATORS von Imhof, Hughes**

**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;**