

Introduced: 2/18/80
Referred: Judiciary

1 IN THE HOUSE

BY RANDOLPH

2 HOUSE BILL NO. 827

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to official misconduct."

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

8 * Section 1. AS 39.05.130 is amended to read:

9 Sec. 39.05.130. OATHS. A public officer or employee of the state
10 before entering upon the duties of his office, shall take and sign the
11 following oath or affirmation:

12 "I do solemnly swear (or affirm) that I will support and defend the
13 Constitution of the United States and the laws and the Constitution
14 of the State of Alaska, and that I will faithfully discharge my
15 duties asto the best of my ability."

16 * Sec. 2. AS 11.56.850(a) is amended to read:

17 (a) A public servant commits the crime of official misconduct if
18 (1) he, with intent to obtain a benefit or to injure or
19 deprive another person of a benefit, [HE (1)] performs an act relating
20 to his office but constituting an unauthorized exercise of his official
21 functions, knowing that that act is unauthorized; [OR]

22 (2) knowingly refrains from performing a duty which is im-
23 posed upon him by law or is clearly inherent in the nature of his of-
24 fice; or

25 (3) violates the oath of office administered under AS 39.05.-

26 130.

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