

Introduced: 1/14/80
Referred: Judiciary

1 IN THE SENATE

BY BRADLEY BY REQUEST

2 SENATE BILL NO. 303

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 arson information."

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

8 * Section 1. AS 21.89 is amended by adding new sections to read:

9 Sec. 21.89.050. ARSON INFORMATION. (a) When a property insurer
10 determines that a claim has been presented for a fire loss and that the
11 fire may not have been of an accidental origin, the insurer shall imme-
12 diately supply a written report of that fact to an authorized agency.

13 (b) Upon the written request of an authorized agency a property
14 insurer shall supply all available information requested by an agency
15 relating to a particular fire loss. For the purposes of this subsection
16 any federal agency responsible for the investigation or prosecution of a
17 suspected arson is an authorized agency.

18 (c) An authorized agency receiving or developing information
19 relating to a suspected case of arson may share that information with
20 any authorized agency and must share the information upon the written
21 request of an authorized agency. An authorized agency must also share
22 all information relating to a particular instance of suspected arson
23 with the insurer of the subject property.

24 (d) As used in this section "authorized agency" means fire depart-
25 ments and local law enforcement agencies if they are responsible for the
26 investigation of fires; the attorney general; and the commissioner of
27 public safety.

28 Sec. 21.89.060. IMMUNITY. A person is not civilly liable or
29 subject to criminal prosecution for releasing information under

1 AS 21.89.050 unless the release of that information constituted a
2 malicious attempt to injure an insured.

3 Sec. 21.89.070. STATUS OF ARSON INFORMATION. Except as provided
4 in AS 21.89.050, information relating to an instance of suspected arson
5 is confidential until its release is ordered by the court. In a civil
6 proceeding involving a property insurer the court may order the testi-
7 mony of a person receiving information under AS 21.89.050.

8 Sec. 21.89.080. MISUSE OF ARSON INFORMATION. (a) A person com-
9 mits the crime of misuse of arson information if he intentionally re-
10 fuses to release, provide, or hold in confidence information relating to
11 an instance of suspected arson in violation of AS 21.89.050 or 21.89.-
12 070.

13 (b) Misuse of arson information is a class B misdemeanor.
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