

Introduced: 4/5/83
Referred: Judiciary

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

HOUSE BILL NO. 324

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act making it unlawful to tape-record an oral
7 conversation without the consent of all parties to
8 the conversation; and providing exceptions."

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

10 * Section 1. AS 42.20.300(b) is amended to read:

11 (b) It is unlawful for a person not authorized by all parties [A
12 PARTY] to the communication to intentionally intercept a communication
13 or to divulge or publish the existence, contents, substance, purport,
14 effect, or meaning of the intercepted communication to any person.

15 * Sec. 2. AS 42.20.310 is amended to read:

16 Sec. 42.20.310. EAVESDROPPING. (a) Except as provided in (b)
17 of this section, it [IT] is unlawful for a person to

18 (1) use an eavesdropping device to hear or record all or
19 any part of an oral conversation without the consent of all parties [A
20 PARTY] to the conversation;

21 (2) use or divulge any information which the person [HE]
22 knows or reasonably should know was obtained through the illegal use
23 of an eavesdropping device for that person's [HIS OWN] or another's
24 benefit;

25 (3) publish the existence, contents, substance, purport,
26 effect or meaning of any conversation the person [HE] has heard
27 through the illegal use of an eavesdropping device;

28 (4) divulge, or publish the existence, contents, substance,
29 purport, effect or meaning of any conversation the person [HE] has

1 become acquainted with after the person [HE] knows or reasonably
2 should know that the conversation and the information contained in the
3 conversation was obtained through the illegal use of an eavesdropping
4 device.

5 * Sec. 3. AS 42.20.310 is amended by adding a new subsection to read:

6 (b) The provisions of (a) of this section do not apply to a
7 police investigation in which the police have obtained a warrant
8 allowing use of an eavesdropping device to hear or record all or any
9 part of an oral conversation with the consent of a party to the con-
10 versation.