

Offered: 2/21/84
Referred: Rules

Original sponsors: Hayes, Barnes,
Liska and Furnace

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 520 (Finance) am

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to criminal use of a computer."

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

8 * Section 1. AS 11.46.200(a) is amended to read:

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(a) A person commits theft of services if

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(1) the person obtains services, known by that person to be available only for compensation, by deception, force, threat, or other means to avoid payment for the services; [OR]

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(2) having control over the disposition of services of others to which the person is not entitled, the person knowingly diverts those services to the person's own benefit or to the benefit of another not entitled to them; or

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(3) the person obtains the use of computer time, a computer system, a computer network, or any part of a computer system or network, with reckless disregard that the use by that person is unauthorized.

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* Sec. 2. AS 11.46.484(a) is amended to read:

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(a) A person commits the crime of criminal mischief in the third degree if, having no right to do so or any reasonable ground to believe the person has such a right

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(1) with intent to damage property of another, the person damages property of another in an amount of \$50 or more but less than \$500;

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(2) the person drives, tows away, or takes the propelled vehicle of another;

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1 (3) having custody of a propelled vehicle under a written
2 agreement with the owner of the vehicle that [WHICH] includes an agreement
3 to return the vehicle to the owner at a specified time, the person know-
4 ingly retains or withholds possession of the vehicle without the consent of
5 the owner for so long a period beyond the time specified as to render the
6 retention or possession of the vehicle an unreasonable deviation from the
7 agreement; [OR]

8 (4) the person tampers with a fire protection device in a
9 building that [WHICH] is a public place; or

10 (5) the person knowingly accesses a computer, computer
11 system, computer network, or any part of a computer system or network.

12 * Sec. 3. AS 11.46 is amended by adding a new section to read:

13 Sec. 11.46.740. CRIMINAL USE OF COMPUTER. (a) A person commits
14 the offense of criminal use of a computer if, having no right to do so
15 or any reasonable ground to believe the person has such a right, the
16 person knowingly accesses or causes to be accessed a computer, com-
17 puter system, computer network, or any part of a computer system or
18 network, and as a result of that access

19 (1) obtains information concerning a person; or

20 (2) introduces false information into a computer, computer
21 system, or computer network with the intent to damage or enhance the
22 data record of a person.

23 (b) Criminal use of a computer is a class C felony.

24 * Sec. 4. AS 11.46.990 is amended by adding new paragraphs to read:

25 (8) "access" means to instruct, communicate with, store
26 data in, retrieve data from, or otherwise obtain the ability to use
27 the resources of a computer, computer system, computer network, or any
28 part of a computer system or network;

29 (9) "computer" means an electronic device that performs

1 logical, arithmetic, and memory functions by the manipulation of
2 electronic, optical or magnetic impulses, and includes all input,
3 output, processing, storage, computer software, and communication
4 facilities that are connected or related to a computer;

5 (10) "computer network" means an interconnection, including
6 by microwave or other means of electronic or optical communication, of
7 two or more computer systems, or between computers and remote ter-
8 minals;

9 (11) "computer system" means a set of related computer
10 equipment, devices and software;

11 (12) "data" includes a representation of information, know-
12 ledge, facts, concepts, or instructions, that is being prepared or has
13 been prepared in a formalized manner and is used or intended for use
14 in a computer, computer system, or computer network.

15 * Sec. 5. AS 11.81.900(b)(51) is amended to read:

16 (51) "services" includes labor, professional services,
17 transportation, telephone or other communications service, entertain-
18 ment, the supplying of food, lodging, or other accommodations in
19 hotels, restaurants, or elsewhere, admission to exhibitions, the use
20 of a computer, computer time, a computer system, a computer network,
21 or any part of a computer system or network, and the supplying of
22 equipment for use;