

Offered: 4/12/84  
Referred: Rules

Original sponsors: Hayes, Barnes,  
Liska and Furnace

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 520 (Judiciary)

3 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:

9 (a) A person commits theft of services if

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

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

17 (3) the person obtains the use of computer time, a computer  
18 system, a computer network, or any part of a computer system or net-  
19 work, knowingly or with reckless disregard that the use by that person  
20 is unauthorized.

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

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

25 (1) with intent to damage property of another, the person  
26 damages property of another in an amount of \$50 or more but less than  
27 \$500;

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

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;