

Offered: 4/30/84
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 (2d 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 program, a computer network, or any part of a
19 computer system or network, with reckless disregard that the use by
20 that person 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
3 agreement to return the vehicle to the owner at a specified time, the
4 person knowingly retains or withholds possession of the vehicle
5 without the consent of the owner for so long a period beyond the time
6 specified as to render the retention or possession of the vehicle an
7 unreasonable deviation from the 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 program, computer network, or any part of a computer
12 system or network.

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

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

20 (1) obtains information concerning a person; or

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

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

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

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

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

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

10 (11) "computer program" means an ordered set of instructions
11 or statements, and related information that, when automatically
12 executed in actual or modified form in a computer system, causes it to
13 perform specified functions;

14 (12) "computer system" means a set of related computer
15 equipment, devices and software;

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

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

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