

Introduced: 2/20/84
Referred: Judiciary and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 504

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 the unauthorized use of computer
7 and telecommunications services."

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

9 * Section 1. As 11.46.200(a) is amended by adding a new paragraph to
10 read:

11 (3) the person obtains the use of computer time, a computer
12 system, or a computer network, or any part of a computer system or
13 network, with reckless disregard that the use by that person is un-
14 authorized.

15 * Sec. 2. As 11.46.200 is amended by adding a new subsection to read:

16 (c) In a prosecution for theft based on the theft of cable,
17 microwave, subscription, or pay television or other telecommunications
18 service, it is an affirmative defense that the device used to obtain
19 the service was designed to intercept electromagnetic signals, includ-
20 ing the device commonly referred to as a "home earth station," and
21 that

22 (1) the device was acquired by the person before the effec-
23 tive date of this Act, and that after that date the device was not
24 used for a commercial purpose; or

25 (2) when the person first acquired the device

26 (A) the service was not available to that person
27 through the payment of a lawful fee to a commercial provider of
28 the service; and

29 (B) after the service became available from a

1 commercial provider through the payment of a lawful fee, the
2 person did not use the service for a commercial purpose.

3 * Sec. 3. AS 11.46.482(a) is amended by adding a new paragraph to read:

4 (5) that person sells, leases, trades, or offers for sale,
5 lease, or trade, any device designed to intercept cable, microwave,
6 subscription, or pay television or other telecommunications service
7 with intent to allow a user to avoid the payment of a lawful fee for
8 the service.

9 * Sec. 4. AS 11.46.484(a) is amended by adding a new paragraph to read:

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

12 * Sec. 5. AS 11.46.484 is amended by adding a new subsection to read:

13 (d) As used in this section, "access" means to instruct, commu-
14 nicate with, or otherwise obtain the ability to use the resources of a
15 computer, computer system, computer network, or any part of a computer
16 system or network.

17 * Sec. 6. AS 11.46.990 is amended by adding new paragraphs to read:

18 (8) "computer" means an electronic device that performs
19 logical, arithmetic, and memory functions by the manipulation of elec-
20 tronic or magnetic impulses;

21 (9) "computer network" means the interconnection of commu-
22 nication lines, including by microwave or other means of electronic
23 communication, between computers or between computers and remote
24 terminals;

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

27 * Sec. 7. AS 11.81.900(b)(51) is amended to read:

28 (51) "services" includes labor; [,] professional services;
29 [,] transportation; [,] telephone or other communications service; [,]

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entertainment, including cable, microwave, subscription, or pay tele-
vision or other telecommunications service; the supplying of food,
lodging, or other accommodations in hotels, restaurants, or elsewhere;
[,] admission to exhibitions; [,] the use of a computer, computer
time, a computer system, a computer network, or any part of a computer
system or network; and the supplying of equipment for use;