

Introduced: 1/30/85
Referred: Judiciary

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 149

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to unlawful use of a locking de-
7 vice."

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

9 * Section 1. AS 11.76 is amended by adding new sections to read:

10 Sec. 11.76.130. UNLAWFUL USE OF LOCKING DEVICE IN THE FIRST
11 DEGREE. (a) A person commits the crime of unlawful use of a locking
12 device in the first degree if that person sells, repairs, or installs
13 a lock or similar device designed to prevent unauthorized persons from
14 having access to a building, propelled vehicle, or other property, and

15 (1) discloses information or provides a device, including a
16 combination or duplicate key, knowing that the information or device
17 will permit an unauthorized person to have access to the building,
18 propelled vehicle, or other property; or

19 (2) uses information or a device obtained as a result of
20 that sale, repair, or installation to obtain unauthorized access to
21 the building, propelled vehicle, or other property.

22 (b) As used in this section,

23 (1) "sells" or "sale," as related to a lock or similar
24 device, means any type of transfer, including by gift, barter, or
25 trade, and includes the sale of a lock or similar device as part of
26 the sale of a building, propelled vehicle, or other property;

27 (2) "repairs" includes any type of authorized modification
28 or adjustment, routine or periodic maintenance, or opening or closing
29 a locking device by other than ordinary means.

1 (c) Unlawful use of locking devices in the first degree is a
2 class C felony.

3 Sec. 11.76.140. UNLAWFUL USE OF LOCKING DEVICE IN THE SECOND
4 DEGREE. (a) A person commits the crime of unlawful use of a locking
5 device in the second degree if that person duplicates for another a
6 key stamped with the words "do not duplicate," or a similar phrase,
7 with reckless disregard as to whether the other person is authorized
8 to possess the original or duplicate key.

9 (b) Unlawful use of locking devices in the second degree is a
10 class A misdemeanor.

11 Sec. 11.76.150. LACK OF COMPENSATION NOT A DEFENSE. In a prose-
12 cution under AS 11.76.130 or 11.76.140, it is not a defense that the
13 defendant received no compensation for the sale, repair, or installa-
14 tion of the locking device or duplication of the key.