

Offered: 4/12/85
Referred: Rules

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE FINANCE COMMITTEE

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CS FOR SENATE BILL NO. 162 (Finance)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - FIRST SESSION

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A BILL

6 For an Act entitled: "An Act relating to public records and certification

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of government vouchers; and providing for an effective

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date."

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

10 * Section 1. AS 11.56 is amended by adding a new section to read:

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Sec. 11.56.815. TAMPERING WITH PUBLIC RECORDS IN THE FIRST DE-

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GREE. (a) A person commits the crime of tampering with public rec-

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ords in the first degree if the person violates AS 11.56.820(a)(3)

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with intent to obtain a benefit for that person or any person or to

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injure or deprive another person of a benefit.

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(b) Tampering with public records in the first degree is a class

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C felony.

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* Sec. 2. AS 11.56.820 is amended to read:

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Sec. 11.56.820. TAMPERING WITH PUBLIC RECORDS IN THE SECOND

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DEGREE. (a) A person commits the crime of tampering with public

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records in the second degree if the person [KNOWINGLY]

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(1) knowingly makes a false entry in or falsely alters a

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public record; [OR]

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(2) knowingly destroys, mutilates, suppresses, conceals,

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removes, or otherwise impairs the verity, legibility, or availability

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of a public record, knowing that the person lacks the authority to do

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so; or

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(3) certifies a public record setting out a claim against a

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government agency, or the property of a government agency, with

1 reckless disregard of whether the claim is lawful, or that payment of
2 the claim is not authorized in the budget of the government agency.

3 (b) In this section

4 (1) "certifies" means attesting to the existence, truth, or
5 accuracy of facts, or that one holds an opinion, stated in a public
6 record; the term includes the responsibilities for state officials set
7 out in AS 37.10.030;

8 (2) "falsely alters" has the meaning ascribed to it in
9 AS 11.46.580; and

10 (3) "makes a false entry" means to change or create a
11 public record, whether complete or incomplete, by means of erasure,
12 obliteration, deletion, insertion of new matter, transposition of
13 matter, or by any other means, so that the record so changed or cre-
14 ated states or implies a fact that the maker knows is not true, or
15 states or implies an opinion that the maker does not hold.

16 (c) Tampering with public records in the second degree is a
17 class A misdemeanor.

18 * Sec. 3. AS 37.10.030 is amended by adding a new subsection to read:

19 (b) In (a) of this section, an approval or certification of a
20 voucher is effective when an authorized person uses a password as-
21 signed by the department if the certification or the voucher itself is
22 prepared and recorded by using an electronic accounting device that is
23 a part of the computerized state accounting systems.

24 * Sec. 4. AS 44.21.050 is repealed.

25 * Sec. 5. This Act takes effect July 1, 1985.