

HOUSE BILL NO. 5
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES B.DAVIS, Mackie

Introduced: 1/11/93

Referred: Health, Education & Social Services, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the crime of harassment."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 11.61 is amended by adding new sections to read:**

4 **Sec. 11.61.115. HARASSMENT IN THE FIRST DEGREE. (a) A person**
5 **commits the crime of harassment in the first degree if the person violates**
6 **AS 11.61.117**

7 **(1) within seven years of being convicted of violating AS 11.61.117 by**
8 **conduct directed against the same victim; or**

9 **(2) by conduct that violates a temporary restraining order or an**
10 **injunction in effect against the person and issued for the benefit of the same victim.**

11 **(b) Harassment in the first degree is a class C felony.**

12 **Sec. 11.61.117. HARASSMENT IN THE SECOND DEGREE. (a) A person**
13 **commits the crime of harassment in the second degree if the person**

14 **(1) intentionally, maliciously, and repeatedly engages, with the intent**

1 to seriously alarm or annoy another person, in a course of conduct, including
2 following, that is directed against the other person, that does not have a legitimate
3 purpose, and that would cause a reasonable person to suffer substantial emotional
4 distress; and

5 (2) makes a threat of death or serious physical injury against the other
6 person if a reasonable person would believe the threat was credible.

7 (b) Harassment in the second degree is a class A misdemeanor.

8 * Sec. 2. AS 11.61.120 is amended to read:

9 Sec. 11.61.120. **HARASSMENT IN THE THIRD DEGREE**. (a) A person
10 commits the crime of harassment in the third degree if, with intent to harass or annoy
11 another person, that person

12 (1) insults, taunts, or challenges another person in a manner likely to
13 provoke an immediate violent response;

14 (2) telephones another and fails to terminate the connection with intent
15 to impair the ability of that person to place or receive telephone calls;

16 (3) makes repeated telephone calls at extremely inconvenient hours;

17 (4) makes an anonymous or obscene telephone call or a telephone call
18 that threatens physical injury; or

19 (5) subjects another person to offensive physical contact.

20 (b) Harassment in the third degree is a class B misdemeanor.

21 * Sec. 3. AS 12.25.030(b) is amended to read:

22 (b) In addition to the authority granted under (a) of this section, a peace officer
23 without a warrant may arrest a person when the peace officer has reasonable cause for
24 believing that the person has committed a crime under

25 (1) AS 11.56.740; or

26 (2) AS 11.41, AS 11.46.330, or AS 11.61.115 - 11.61.120
27 [AS 11.61.120], or has violated an ordinance with elements substantially similar to the
28 elements of a crime under AS 11.41, AS 11.46.330, or AS 11.61.115 - 11.61.120
29 [AS 11.61.120], when the victim is a spouse or former spouse of the person who
30 committed the crime; a parent, grandparent, child, or grandchild of the person who
31 committed the crime; a member of the social unit comprised of those living together

1 in the same dwelling as the person who committed the crime; or another person who
2 is not a spouse or former spouse of the person who committed the crime but who
3 previously lived in a spousal relationship with the person who committed the crime or
4 is in or has been in a dating, courtship, or engagement relationship with the person
5 who committed the crime.