

HOUSE BILL NO. 11

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES ULMER, Sitton, B.Davis

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 terroristic threatening."**

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

3 *** Section 1. AS 11.56.810 is amended to read:**

4 **Sec. 11.56.810. TERRORISTIC THREATENING IN THE FIRST DEGREE.**

5 **(a) A person commits the crime of terroristic threatening in the first degree if the**
6 **person**

7 **(1) knowingly makes a false report that a circumstance dangerous to**
8 **human life exists or is about to exist and**

9 **(A) places a person in fear of physical injury to a [ANY]**
10 **person;**

11 **(B) causes evacuation of a building; or**

12 **(C) causes serious public inconvenience; [OR]**

13 **(2) with intent to place another person in fear of death or serious**
14 **physical injury to the person or a [THE PERSON'S IMMEDIATE] family member.**

1 makes repeated threats to cause death or serious physical injury to another person; or
2 (3) commits the crime of terroristic threatening in the second
3 degree and

4 (A) the conduct that constitutes the crime violates a court
5 order;

6 (B) the victim is under 16 years of age;

7 (C) within seven years before the commission of the crime
8 the person has been convicted of a crime under AS 11.41.100 - 11.41.440,
9 AS 11.56.740, 11.56.810 - 11.56.814, AS 11.61.120, or a law or an ordinance
10 of this or another jurisdiction with elements similar to a crime under
11 AS 11.41.100 - 11.41.440, AS 11.56.740, 11.56.810 - 11.56.814, or
12 AS 11.61.120; or

13 (D) the person possessed a deadly weapon at the time of
14 committing the offense.

15 (b) Terroristic threatening in the first degree is a class C felony.

16 * Sec. 2. AS 11.56 is amended by adding new sections to read:

17 Sec. 11.56.812. TERRORISTIC THREATENING IN THE SECOND
18 DEGREE. (a) A person commits the crime of terroristic threatening in the second
19 degree if the person recklessly places another person in fear of death or physical
20 injury, or in fear of the death or physical injury of a family member, by knowingly and
21 repeatedly following or lying in wait for the person or family member, or engaging in
22 conduct similar to following or lying in wait for the person or family member.

23 (b) Terroristic threatening in the second degree is a class A misdemeanor.

24 Sec. 11.56.814. DEFINITION. In AS 11.56.810 - 11.56.814, "family member"
25 of a person means

26 (1) a spouse, child, grandchild, parent, grandparent, or sibling of the
27 person;

28 (2) a person who lives in a spousal relationship with the person; or

29 (3) a person who lives in the same household as the person.

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

31 (b) In addition to the authority granted under (a) of this section, a peace officer

1 without a warrant may arrest a person when the peace officer has reasonable cause for
2 believing that the person has committed a crime under
3 (1) AS 11.56.740; or
4 (2) AS 11.41, AS 11.46.330, AS 11.56.810(a)(3) - 11.56.814, or
5 AS 11.61.120, or has violated an ordinance with elements substantially similar to the
6 elements of a crime under AS 11.41, AS 11.46.330, AS 11.56.810(a)(3) - 11.56.814,
7 or AS 11.61.120, when the victim is a spouse or former spouse of the person who
8 committed the crime; a parent, grandparent, child, or grandchild of the person who
9 committed the crime; a member of the social unit comprised of those living together
10 in the same dwelling as the person who committed the crime; or another person who
11 is not a spouse or former spouse of the person who committed the crime but who
12 previously lived in a spousal relationship with the person who committed the crime or
13 is in or has been in a dating, courtship, or engagement relationship with the person
14 who committed the crime.