

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 11
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR KERTTULA

Introduced: 2/10/93
Referred: STA, JUD, FIN

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; or

6 (B) within seven years before the commission of the crime
7 the person has been convicted of the crime of terroristic threatening in the
8 second degree.

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

10 • Sec. 2. AS 11.56 is amended by adding new sections to read:

11 Sec. 11.56.812. TERRORISTIC THREATENING IN THE SECOND
12 DEGREE. (a) A person commits the crime of terroristic threatening in the second
13 degree if the person recklessly places another person in fear of death or physical
14 injury, or in fear of the death or physical injury of a family member, by knowingly and
15 repeatedly following or lying in wait for the person or family member, or engaging in
16 conduct similar to following or lying in wait for the person or family member.

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

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

- 20 (1) a spouse, child, grandchild, parent, grandparent, or sibling of the
21 person;
- 22 (2) a person who lives in a spousal relationship with the person;
- 23 (3) a person who lives in the same household as the person; or
- 24 (4) a person who is in a dating, courtship, or engagement relationship
25 with the person.

26 • Sec. 3. AS 12.25.030(b) is amended to read:

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

30 (1) AS 11.56.740; or

31 (2) AS 11.41, AS 11.46.330, AS 11.56.810(a)(3) - 11.56.814, or

1 AS 11.61.120, or has violated an ordinance with elements substantially similar to the
2 elements of a crime under AS 11.41, AS 11.46.330, AS 11.56.810(a)(3) - 11.56.814,
3 or AS 11.61.120, when the victim is a spouse or former spouse of the person who
4 committed the crime; a parent, grandparent, child, or grandchild of the person who
5 committed the crime; a member of the social unit comprised of those living together
6 in the same dwelling as the person who committed the crime; or another person who
7 is not a spouse or former spouse of the person who committed the crime but who
8 previously lived in a spousal relationship with the person who committed the crime or
9 is in or has been in a dating, courtship, or engagement relationship with the person
10 who committed the crime.