



LAWS OF ALASKA

2022

Source
SCS CSHB 3(JUD)

Chapter No.

AN ACT

Relating to the definition of "disaster."

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the definition of 'disaster.

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3 * **Section 1.** AS 26.23.900(2) is amended to read:

4 (2) "disaster" means the occurrence or imminent threat of widespread
5 or severe damage, injury, loss of life or property, or shortage of food, water, or fuel
6 resulting from

7 (A) an incident such as storm, high water, wind-driven water,
8 tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide,
9 avalanche, snowstorm, prolonged extreme cold, drought, fire, flood, epidemic,
10 explosion, or riot;

11 (B) the release of oil or a hazardous substance if the release
12 requires prompt action to avert environmental danger or mitigate
13 environmental damage;

14 (C) equipment failure if the failure is not a predictably frequent
15 or recurring event or preventable by adequate equipment maintenance or

1 operation;

2 (D) enemy or terrorist attack or a credible threat of imminent
3 enemy or terrorist attack in or against the state that the adjutant general of the
4 Department of Military and Veterans' Affairs or a designee of the adjutant
5 general, in consultation with the commissioner of public safety or a designee of
6 the commissioner of public safety, certifies to the governor has a high
7 probability of occurring in the near future; the certification must meet the
8 standards of AS 26.20.040(c); in this subparagraph, "attack" has the meaning
9 given under AS 26.20.200; [OR]

10 (E) an outbreak of disease or a credible threat of an imminent
11 outbreak of disease that the commissioner of health and social services or a
12 designee of the commissioner of health and social services certifies to the
13 governor has a high probability of occurring in the near future; the certification
14 must be based on specific information received from a local, state, federal, or
15 international agency, or another source that the commissioner or the designee
16 determines is reliable; or

17 **(F) a cyber attack or serious cyber incident that affects**
18 **critical infrastructure in the state, an information system owned or**
19 **operated by the state or a political subdivision of the state, information**
20 **that is stored on, processed by, or transmitted on an information system**
21 **owned or operated by the state or a political subdivision of the state, or a**
22 **credible threat of an imminent cyber attack or serious cyber incident that**
23 **the commissioner of administration or commissioner's designee certifies to**
24 **the governor has a high probability of occurring in the near future; the**
25 **certification must be based on specific information that critical**
26 **infrastructure in the state, an information system owned or operated by**
27 **the state or a political subdivision of the state, or information that is**
28 **stored on, processed by, or transmitted on an information system owned**
29 **or operated by the state or a political subdivision of the state may be**
30 **affected; in this subparagraph,**

31 **(i) "critical infrastructure" means systems and**

1 assets, whether physical or virtual, so vital to the state that the
2 incapacity or destruction of the systems and assets would have a
3 debilitating effect on security, state economic security, state public
4 health or safety, or any combination of those matters;

5 (ii) "serious cyber incident" means an incident that
6 has a confirmed effect on the confidentiality, integrity, or
7 availability of systems and data, has legal or privacy implications,
8 affects other agencies, or requires security experience or resources
9 not otherwise available;

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