

Alaska Stat. § 11.46.710

Current through all 2023 legislation.

Alaska Statutes > Title 11. Criminal Law. (Chs. 05 — 81) > Chapter 46. Offenses Against Property. (Arts. 1 — 7) > Article 6. Business and Commercial Offenses. (§§ 11.46.600 — 11.46.740)

Sec. 11.46.710. Deceptive business practices.

(a) A person commits the crime of deceptive business practices if, in the course of engaging in a business, occupation, or profession, the person

- (1) makes a false statement in an advertisement or communication addressed to the public or to a substantial number of persons in connection with the promotion of the sale of property or services or to increase the consumption of property or services;
- (2) uses or possesses for use a false weight or measure or any other device for falsely determining or recording any quality or quantity;
- (3) sells, offers for sale, exposes for sale, or delivers less than the represented quantity of a commodity or service;
- (4) sells, offers for sale, or exposes for sale adulterated commodities; or
- (5) sells, offers for sale, or exposes for sale mislabeled commodities.

(b) As used in this section,

- (1) “adulterated” means varying from the standard of composition or quality prescribed by law or, if none, as set by established commercial usage;
- (2) “false statement” means an offer to sell or provide property or services made with intent not to sell or provide the advertised property or services
 - (A) at the price or of the quality advertised;
 - (B) in a quantity sufficient to meet the reasonably expected public demand unless quantity is specifically stated in the advertisement; or
 - (C) at all;
- (3) “mislabeled” means
 - (A) varying from the standard of truth or disclosure in labeling prescribed by law or, if none, as set by established commercial usage; or
 - (B) represented as being another person’s product, though otherwise labeled accurately as to quality and quantity.

(c) Except as provided in (d) of this section, deceptive business practices is a class A misdemeanor.

(d) Deceptive business practices is a class C felony if the person uses the Internet or a computer network to commit the offense. In this subsection, “Internet” means the combination of computer systems or networks that make up the international network for interactive communications services, including remote logins, file transfer, electronic mail, and newsgroups.

History

(§ 4 ch 166 SLA 1978; am §§ 9, 10 ch 65 SLA 2000)

Alaska Statutes

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