

**Alaska Stat. § 11.46.990**

Current through all 2023 legislation.

*Alaska Statutes > Title 11. Criminal Law. (Chs. 05 — 81) > Chapter 46. Offenses Against Property. (Arts. 1 — 7) > Article 7. General Provisions. (§§ 11.46.980 — 11.46.990)*

**Sec. 11.46.990. Definitions.**

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In this chapter, unless the context requires otherwise,

- (1) “access” means to instruct, communicate with, store data in, retrieve data from, or otherwise obtain the ability to use the resources of a computer, computer system, computer network, or any part of a computer system or network;
- (2) “appropriate” or “appropriate property of another to oneself or a third person” means to
  - (A) exercise control over property of another, or to aid a third person to exercise control over property of another, permanently or for so extended a period or under such circumstances as to acquire the major portion of the economic value or benefit of the property; or
  - (B) dispose of the property of another for the benefit of oneself or a third person;
- (3) “computer” means an electronic device that performs logical, arithmetic, and memory functions by the manipulation of electronic, optical, or magnetic impulses, and includes all input, output, processing, storage, computer software, and communication facilities that are connected or related to a computer;
- (4) “computer network” means an interconnection, including by microwave or other means of electronic or optical communication, of two or more computer systems, or between computers and remote terminals;
- (5) “computer program” means an ordered set of instructions or statements, and related information that, when automatically executed in actual or modified form in a computer system, causes it to perform specified functions;
- (6) “computer system” means a set of related computer equipment, devices, and software;
- (7) “data” includes a representation of information, knowledge, facts, concepts, or instructions, that is being prepared or has been prepared in a formalized manner and is used or intended for use in a computer, computer system, or computer network;
- (8) “deprive” or “deprive another of property” means to
  - (A) withhold property of another or cause property of another to be withheld from that person permanently or for so extended a period or under such circumstances that the major portion of its economic value or benefit is lost to that person;
  - (B) dispose of the property in such a manner or under such circumstances as to make it unlikely that the owner will recover the property;

- (C) retain the property of another with intent to restore it to that person only if that person pays a reward or other compensation for its return;
- (D) sell, give, pledge, or otherwise transfer any interest in the property of another; or
- (E) subject the property of another to the claim of a person other than the owner;
- (9) “financial institution” means a bank, insurance company, credit union, building and loan association, investment trust, or other organization held out to the public as a place of deposit of funds or medium of savings or collective investment;
- (10) “financial reputation” means a person’s
  - (A) ability to obtain a loan from a financial institution, open an account with a financial institution, obtain property or services on credit, or obtain an access device; or
  - (B) creditworthiness in a credit report;
- (11) “intent to defraud”, when necessary to constitute an offense, is sufficiently established if an intent appears to defraud any person; “intent to defraud” means
  - (A) an intent to injure someone’s interest which has value or an intent to use deception; or
  - (B) knowledge that the defendant is facilitating a fraud or injury to be perpetrated or inflicted by someone else;
- (12) “obtain” means
  - (A) in relation to property, to bring about a transfer or a purported transfer of a legal interest in the property whether to the obtainer or another or to exert control over property of another; or
  - (B) in relation to a service, to secure performance of the service;
- (13) “property of another” means property in which a person has an interest which the defendant is not privileged to infringe, whether or not the defendant also has an interest in the property and whether or not the person from whom the property was obtained or withheld also obtained the property unlawfully; “property of another” does not include property in the possession of the defendant in which another has only a security interest, even if legal title is in the secured party under a conditional sales contract or other security agreement; in the absence of a specific agreement to the contrary, the holder of a security interest in property is not privileged to infringe the debtor’s right of possession without the consent of the debtor;
- (14) “stolen property” means property of another that was obtained unlawfully.

## History

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(§ 4 ch 166 SLA 1978; am § 4 ch 79 SLA 1984; am § 13 ch 65 SLA 2000)