





## 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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