

28-LS1382\U

Wallace

4/11/14

HOUSE CS FOR SENATE BILL NO. 200()**IN THE LEGISLATURE OF THE STATE OF ALASKA****TWENTY-EIGHTH LEGISLATURE - SECOND SESSION****BY****Offered:****Referred:****Sponsor(s): SENATORS MCGUIRE, Coghill, Bishop, Giessel, Meyer, Stedman, Dyson, Kelly, Micciche, Dunleavy****REPRESENTATIVES Lynn, Stoltze****A BILL****FOR AN ACT ENTITLED**

1 **"An Act relating to an action for the death of an unborn child in certain circumstances."**

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

3 *** Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
4 to read:

5 **SHORT TITLE.** This Act may be known as Jackson's Law.

6 *** Sec. 2.** AS 09.15 is amended by adding a new section to read:

7 **Sec. 09.15.018. Action for wrongful death of an unborn child;**
8 **applicability.** (a) A parent of an unborn child may maintain an action as plaintiff for
9 the death of an unborn child that was caused by the wrongful act or omission of
10 another.

11 (b) This section does not apply to acts or omissions that

12 (1) cause the death of an unborn child if those acts or omissions are
13 committed during a legal abortion to which the pregnant woman or a person
14 authorized by law to act on her behalf consents or for which consent is implied by law;

15 (2) are committed under usual and customary standards of medical

1 practice during diagnostic testing, during therapeutic treatment, or while assisting a
2 pregnancy; or

3 (3) are committed by a pregnant woman against herself and her unborn
4 child.

5 (c) This section does not limit any other cause of action that a parent may
6 maintain for the death of an unborn child.

7 (d) In this section,

8 (1) "abortion" has the meaning given in AS 18.16.090;

9 (2) "unborn child" has the meaning given in AS 11.81.900.

10 * Sec. 3. The uncoded law of the State of Alaska is amended by adding a new section to
11 read:

12 TRANSITION. This Act applies to actions arising from a wrongful act or omission
13 that takes place on or after the effective date of this Act.

28-LS1676A
Wallace
4/11/14

HOUSE CONCURRENT RESOLUTION NO.
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY

Introduced:
Referred:

A RESOLUTION

1 **Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State**
2 **Legislature, concerning Senate Bill No. 200, establishing a right of action for the death**
3 **of an unborn child in certain circumstances.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 That under Rule 54, Uniform Rules of the Alaska State Legislature, the provisions of
6 Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, regarding
7 changes to the title of a bill, are suspended in consideration of Senate Bill No. 200,
8 establishing a right of action for the death of an unborn child in certain circumstances.