



SENATOR DENNIS EGAN

SB 100 - Municipal Liens

Sponsor Statement

SB 100 is at the request of a number of Alaska city attorneys. It fixes an unintended consequence of a 1998 bill aimed at ending unauthorized 'common law' liens that were being used to go after public servants when individuals disagreed with a government action.

Liens are a tool local governments across America use to recoup unpaid costs of providing services or abating dangerous situations. In Alaska, many rural municipalities provide utility services for their communities. Those municipalities use liens to collect from people who use services but don't pay. Liens have historically also been used to recover local governments' costs when they have to abate dangerous, dilapidated, or public nuisance properties.

In 2012, the Alaska Supreme Court held that because liens based solely on municipal law were not included in the code of civil procedure, municipal liens without a hook to some other state law were not valid. SB 100 puts the tools back in municipalities' hands by giving liens under municipal law the same authority as state and federal law liens under Alaska statutes.

ALASKA SENATE

STATE CAPITOL • JUNEAU, ALASKA 99801-1182 • (907) 465-4947 • FAX (907) 465-2108
SENATOR.DENNIS.EGAN@AKLEG.GOV