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Senate Bill 207 Sectional Analysis

Section 1: Allows property owners to request law enforcement to immediately remove unlawful occupants from residential property if no rental agreement ever existed and they have no other legal right to occupy. The process requires a sworn affidavit of the owner and verification by a peace officer. Wrongfully removed occupants can sue for damages. This does not affect criminal trespass laws.

Section 2: Adds a new subsection to AS 11.46.320 (b) defining criminal trespass in the first degree as a class B felony.

Section 3: Adds rental agreements to AS 11.46.505(a) as a crime of forgery in the second degree.

Section 4: Adds a new subsection making the sale, lease, or advertisement of a dwelling by an unauthorized person a crime of deceptive business practices.

Section 5: Clarifies that deceptive business practices remain a class A misdemeanor, except in cases outlined in the new subsection (e).

Section 6: Provides additional definitions of a class C felony for deceptive business practices.

Section 7: Adds a new subsection to AS 11.46.710 defining deceptive business practices as a class C felony if the person violates (a)(6) of this section.

Section 8: Directly amends Rule 85(a) of the Alaska Rules of Civil Procedure to expedite eviction proceedings by shortening the eviction hearing timeline from 15 to 7 days after filing, clarifies service and dismissal procedures, and allows clerks to dismiss inactive eviction cases without additional notice, provided the complaint includes standardized notice language

Section 9: Adds a new section to the uncodified law of the State of Alaska allowing for the recovery of full reasonable attorney fees to an occupant who has been wrongfully removed from a dwelling unit under AS.09.45.950 enacted by sec. 1 of this act

Section 10: Sets a conditional effect requiring two-thirds vote of each house to implement section 9.