



Alaska State Legislature

Senator Matt Claman

Session: State Capitol, Juneau, AK 99801 Phone: 465-4919

Interim: 1500 W. Benson Blvd., Anchorage, AK 99503 Phone: 269-0130

Senate Bill 49

Sponsor Statement — Version I

"An Act relating to workplace violence protective orders; relating to the crime of violating a protective order; relating to the powers of district judges and magistrates; amending Rules 4 and 65, Alaska Rules of Civil Procedure, and Rule 9, Alaska Rules of Administration; and providing for an effective date."

When individuals make credible threats of violence against an employer's worksite or an employee, the attorney representing the employer may need to file a civil lawsuit and ask for a temporary restraining order to protect the business. It can take several days to complete and obtain the order. In contrast, people seeking a domestic violence restraining order can usually get the court order within one day.

Senate Bill 49, modeled after Alaska's domestic violence protective order process, allows an employer to file a petition for a protective order against an individual who the employer reasonably believes committed an act of violence against the employer or an employee, or made a threat of violence against the employer or an employee that can reasonably be construed as a threat that may be carried out at the employer's workplace.

Senate Bill 49 will provide employers with a more effective way to protect their workplace and their employees from violence carried out by individuals who pose a known threat. A 2019 report from the US Bureau of Justice found that 13% of all nonfatal workplace violence was carried out by someone well-known to the victim. This rate was up to 20% of nonfatal workplace violence incidents that involved a female victim. Additionally, the victim and offender had a current or prior professional relationship in 25% of all nonfatal workplace violence incidents.

Senate Bill 49 will prohibit attorney fee awards against the petitioner in domestic violence restraining order proceedings, stalking and sexual assault protective orders, and ex parte protective orders. Victims are often discouraged to step forward with their experiences and trauma due to fear of negative backlash. By prohibiting these fees, Senate Bill 49 is removing barriers for victims to come forward and seek essential protective orders without the risk of having to pay the other party's attorney's fees.

Eleven states have laws providing for the issuance of protective or restraining orders that are specific to workplace violence. Utah is the most recent addition to this list, which passed a workplace violence protective order law in 2023.