

**HOUSE BILL NO. 19**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE THERRIAULT**

**Introduced: 1/16/95**

**Referred: Judiciary, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the definition of 'fault' as that term is used for the purposes  
2 of determining the liabilities of parties in civil actions, setting limitations on civil  
3 liability, and authorizing the award, in conformance with applicable court rule, of  
4 attorney fees in civil actions."

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

6 \* **Section 1.** AS 09.17.900 is amended to read:

7           Sec. 09.17.900. DEFINITION. In this chapter, "fault" includes acts or  
8 omissions that are in any measure negligent, [OR] reckless, **or intentional** toward the  
9 person or property of the actor or others, or that subject a person to strict tort liability.  
10 The term also includes breach of warranty, unreasonable assumption of risk not  
11 constituting an enforceable express consent, misuse of a product for which the  
12 defendant otherwise would be liable, and unreasonable failure to avoid an injury or to  
13 mitigate damages. Legal requirements of causal relation apply both to fault as the  
14 basis for liability and to contributory fault.

1     \* **Sec. 2.** APPLICABILITY. The amendment of AS 09.17.900, made by sec. 1 of this Act,  
2 applies to causes of action that accrue on or after the effective date of this Act.