

**HOUSE BILL NO. 324**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES OGAN, Kohring**

**Introduced: 1/16/98**

**Referred: Labor and Commerce, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to liens for municipal assessments for certain utility**  
2 **improvements."**

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

4 \* **Section 1.** AS 29.10.200 is amended by adding a new paragraph to read:

5 (54) AS 29.46.080(d) (limitation on assessment liens).

6 \* **Sec. 2.** AS 29.46.080(c) is amended to read:

7 (c) **Except as provided in (d) of this section, assessments** [ASSESSMENTS]  
8 are liens on the property assessed and are prior and paramount to all liens except  
9 municipal tax liens. They may be enforced as provided in AS 29.45.320 - 29.45.470  
10 for enforcement of property tax liens.

11 \* **Sec. 3.** AS 29.46.080 is amended by adding a new subsection to read:

12 (d) A municipality may not, under (c) of this section, place a lien on the  
13 property assessed for utility improvements unless the utility service is provided by a  
14 municipally owned utility or an organization, including a cooperative, that requires

- 1 membership as a condition of obtaining utility service from the organization. This
- 2 subsection applies to home rule and general law municipalities.