

**HOUSE BILL NO. 468**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE

Introduced: 3/9/98

Referred: State Affairs

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to damages awarded in complaints before the State Commission  
2 for Human Rights."

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

4 \* **Section 1.** AS 18.80.130(a) is amended to read:

5 (a) At the completion of the hearing, if the commission finds that a person  
6 against whom a complaint was filed has engaged in the discriminatory conduct alleged  
7 in the complaint, it shall order the person to refrain from engaging in the  
8 discriminatory conduct. The order must include findings of fact [,] and may prescribe  
9 conditions on the accused's future conduct relevant to the type of discrimination. In a  
10 case involving discrimination in

11 (1) employment, the commission may order any appropriate relief **that**  
12 **is not prohibited under this paragraph**, including, but not limited to, the hiring,  
13 reinstatement, or upgrading of an employee with **back pay only as provided by this**  
14 **paragraph** or without back pay, restoration to membership in a labor organization, or

1 admission to or participation in an apprenticeship training program, on-the-job training  
2 program, or other retraining program; **if the commission decision is issued more than**  
3 **90 days after the complaint was filed under AS 18.80.100, the commission may not**  
4 **award back pay for wages that the complainant would have earned after the 90th**  
5 **day after the complaint was filed;**

6 (2) housing, the commission may order the sale, lease, or rental of the  
7 housing accommodation to the aggrieved person if it is still available, or the sale,  
8 lease, or rental of a like accommodation owned by the person against whom the  
9 complaint was filed if one is still available, or the sale, lease, or rental of the next  
10 vacancy in a like accommodation [,] owned by the person against whom the complaint  
11 was filed; the commission may award actual damages which shall include, but not be  
12 limited to, the expenses incurred by the complainant for obtaining alternative housing  
13 or space, [;] for storage of goods and effects, [;] for moving, and for other costs  
14 actually incurred as a result of the unlawful practice or violation.

15 \* **Sec. 2.** APPLICATION TO COMPLAINTS. This Act applies to complaints filed on or  
16 after the effective date of this Act.