

**HOUSE BILL NO. 244**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES CROFT, Dyson

Introduced: 5/16/99

Referred: Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to disclosure of information by the attorney general about  
2 possible unfair trade practices; and relating to liability for allegations relating to  
3 unfair trade practices."

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

5 \* **Section 1.** FINDINGS. The legislature finds that

6 (1) violations of AS 45.50.471 - 45.50.561 (unfair trade practices and consumer  
7 protection) are a matter of public concern;

8 (2) dissemination of information about violations of AS 45.50.471 - 45.50.561  
9 would be beneficial to the public by warning the public about unfair trade practices;

10 (3) persons should not be discouraged from writing or speaking about  
11 violations by the threat of litigation; and

12 (4) persons who file complaints about unfair trade practices with the attorney  
13 general should be able to find out information about the investigation of their complaints.

14 \* **Sec. 2.** AS 45.50.521 is amended by adding a new subsection to read:

1 (c) Notwithstanding (b) of this section, the attorney general may communicate  
2 freely about the investigation of an act or practice that may be unlawful under  
3 AS 45.50.471 to the person, if any, who filed a complaint about the act or practice  
4 with the attorney general.

5 \* **Sec. 3.** AS 45.50 is amended by adding a new section to read:

6 **Sec. 45.50.525. Limits on cause of action for statements.** A person may not  
7 bring an action for defamation of character, libel, slander, or damage to reputation  
8 against a person who makes an allegation that an act or practice is or may be unlawful  
9 under AS 45.50.471 unless the person who made the statement knew that the statement  
10 was not true, made the statement with reckless disregard for the truth of the statement,  
11 or made the statement to obtain a competitive business advantage.

12 \* **Sec. 4. APPLICABILITY.** AS 45.50.525, enacted by sec. 1 of this Act, does not apply  
13 to statements made before the effective date of this Act.