

**SENATE BILL NO. 77**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATOR PETE KELLY, Ward, Donley, Taylor, Halford, Green, Miller

Introduced: 2/18/99

Referred: Judiciary, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to civil actions by municipalities and certain public corporations  
2 and prohibiting certain civil actions by them against firearms or ammunition  
3 manufacturers and dealers."

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

5 \* Section 1. AS 09.65.080 is amended to read:

6           Sec. 09.65.080. Actions [SUITS] by municipalities and public corporations  
7           [INCORPORATED UNITS OF LOCAL GOVERNMENT]. Except as provided  
8           in (b) of this section, an [AN] action may be maintained by a municipality [AN  
9           INCORPORATED BOROUGH, CITY,] or a [OTHER] public corporation of like  
10           character in its corporate name, and upon a cause of action accruing to it in its  
11           corporate character

12                           (1) regarding [UPON] a contract made with the municipality or  
13                           public corporation;

14                           (2) regarding [UPON] a liability prescribed by law in favor of the

1           municipality or public corporation;

2                           (3) to recover a penalty or forfeiture [GIVEN TO THE PUBLIC  
3 CORPORATION];

4                           (4) to recover damages for an injury to the [CORPORATE] rights or  
5 property of the municipality or public corporation.

6 \* **Sec. 2.** AS 09.65.080 is amended by adding a new subsection to read:

7                           (b) A municipality or a public corporation established by a municipality may  
8 not bring a civil action to recover damages or to seek injunctive relief from a person  
9 who manufactures or sells firearms or ammunition if the action is related to the lawful  
10 sale, manufacture, design, or marketing of firearms or ammunition. However, this  
11 subsection does not prohibit a civil action for breach of contract or breach of warranty.

12 \* **Sec. 3.** APPLICABILITY. This Act applies to a civil action that accrues on or after the  
13 effective date of this Act.