

**CS FOR HOUSE BILL NO. 271(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

**BY THE HOUSE JUDICIARY COMMITTEE**

**Offered: 4/25/02**

**Referred: Rules**

**Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to recovery of punitive damages resulting from an aviation accident;**  
2 **and providing for an effective date."**

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

4 **\* Section 1.** AS 09.17.020(h) is amended to read:

5 (h) Notwithstanding any other provision of law, in an action against

6 **(1)** an employer to recover damages for an unlawful employment  
7 practice prohibited by AS 18.80.220, the amount of punitive damages awarded by the  
8 court or jury may not exceed

9 **(A)** [(1)] \$200,000 if the employer has **fewer** [LESS] than 100  
10 employees in this state;

11 **(B)** [(2)] \$300,000 if the employer has 100 or more but **fewer**  
12 [LESS] than 200 employees in this state;

13 **(C)** [(3)] \$400,000 if the employer has 200 or more but **fewer**  
14 [LESS] than 500 employees in this state; and

1                    **(D)** [(4)] \$500,000 if the employer has 500 or more employees  
 2                    in this state; **and**

3                    **(2) an owner or operator of an aviation business to recover**  
 4                    **damages resulting from an aviation accident, the amount of punitive damages**  
 5                    **awarded by the court or jury may not exceed (A) \$300,000 if the aircraft has a**  
 6                    **passenger seat configuration of 20 or fewer seats, excluding each crewmember**  
 7                    **seat, or a maximum payload capacity of less than 6,000 pounds; (B) \$400,000 if**  
 8                    **the aircraft has a passenger seat configuration of more than 20 seats but fewer**  
 9                    **than 30 seats, excluding each crewmember seat, or a maximum payload capacity**  
 10                   **of 6,000 or more pounds but less than 7,500 pounds; and (C) \$500,000 if the**  
 11                   **aircraft has a passenger seat configuration of 30 or more seats, excluding each**  
 12                   **crewmember seat, or a maximum payload capacity of 7,500 or more pounds; in**  
 13                   **this paragraph, "aviation accident" means an accident occurring during the**  
 14                   **operation of an aircraft, and "maximum payload capacity" has the meaning**  
 15                   **given in 14 C.F.R. 119.3.**

16                   \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
 17 read:

18                   **APPLICABILITY.** This Act applies to a cause of action that accrues on or after the  
 19 effective date of this Act.

20                   \* **Sec. 3.** This Act takes effect on July 1, 2002.