

**HOUSE BILL NO. 279**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES MEYER, Dyson**

**Introduced: 1/14/01**  
**Referred: Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to statutes of limitations for civil actions."**

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

3 **\* Section 1.** AS 09.10.060(c) is amended to read:

4 (c) Notwithstanding other provisions in this chapter, a person may bring an  
5 action at any time **against the perpetrator of** [FOR] the following acts **if the**  
6 **perpetrator has been convicted of the act:**

7 (1) [FELONY] sexual abuse [OF A MINOR]; or

8 (2) **murder** [FELONY SEXUAL ASSAULT].

9 **\* Sec. 2.** AS 09.10.060 is amended by adding new subsections to read:

10 (d) Except as provided in (c) of this section, a person may not bring an action  
11 for sexual abuse or murder based on the perpetrator's intentional conduct for an injury,  
12 condition, or death caused by the sexual abuse or murder unless the action is  
13 commenced within 10 years.

14 (e) In this section, "sexual abuse" means an act committed by the defendant  
15 against the plaintiff maintaining the cause of action if the defendant's conduct would

1 have violated a provision of

2 (1) AS 11.41.410 - 11.41.440;

3 (2) AS 11.41.450 - 11.41.458; or

4 (3) AS 11.66.110 - 11.66.130 if the victim was, at the time of the  
5 offense, under 18 years of age.

6 \* **Sec. 3.** AS 09.55.580(a) is amended to read:

7 (a) Except as provided under (f) of this section, when the death of a person is  
8 caused by the wrongful act or omission of another, the personal representatives of the  
9 former may maintain an action therefor against the latter, if the former might have  
10 maintained an action, had the person lived, against the latter for an injury done by the  
11 same act or omission. **Except as provided in AS 09.10.060, the** [THE] action shall  
12 be commenced within two years after the death, and the damages therein shall be the  
13 damages the court or jury may consider fair and just. The amount recovered, if any,  
14 shall be exclusively for the benefit of the decedent's spouse and children when the  
15 decedent is survived by a spouse or children, or other dependents. When the decedent  
16 is survived by no spouse or children or other dependents, the amount recovered shall  
17 be administered as other personal property of the decedent but shall be limited to  
18 pecuniary loss. When the plaintiff prevails, the trial court shall determine the  
19 allowable costs and expenses of the action and may, in its discretion, require notice  
20 and hearing thereon. The amount recovered shall be distributed only after payment of  
21 all costs and expenses of suit and debts and expenses of administration.