

HOUSE BILL NO. 224

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

BY REPRESENTATIVE HUDSON

Introduced: 3/30/01
Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act amending Rule 11(a), District Court Rules of Civil Procedure."**

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

3 *** Section 1.** Rule 11(a), District Court Rules of Civil Procedure, is amended to read:

4 (a) The summons shall be issued and the summons and complaint served,
5 according to the procedures of Civil Rule 4, except that:

6 (1) If personal service is used, the clerk shall deliver the summons for
7 service to a peace officer or to a person specially appointed to serve it.

8 (2) If service is by registered or certified mail, the clerk shall mail the
9 summons and a copy of the complaint as provided in Civil Rule 4(h).

10 (3) Service by publication or posting shall not be allowed.

11 (4) Service on a defendant who is outside the state shall be allowed

12 **(A)** [ONLY] in accordance with the Landlord-Tenant Act,
13 AS 34.03.340;

14 **(B) in accordance with** [AND] AS 09.05.020, entitled Service
15 of Process on Nonresident Owner or Operator of Motor Vehicle;

1 **(C) when the cause of action is based upon a debt,**
2 **contractual obligation, personal injury, or property damage incurred or**
3 **occurring while the defendant was physically present in Alaska.**

4 (5) The affidavit required by Civil Rule 4(f) is not required in small
5 claims cases and Civil Rule 4(j) shall not apply.

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

8 **CONDITIONAL EFFECT.** Section 1 of this Act takes effect only in that section
9 receives the two-thirds majority vote of each house required by art. IV, sec. 15, Constitution
10 of the State of Alaska.