

HOUSE BILL NO. 53

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES LYNN, Gatto

Introduced: 1/21/03

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to recovery of civil damages by a school district from the parents or**
2 **legal guardian of a minor; and providing for an effective date."**

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

4 *** Section 1.** AS 34.50.020(a) is amended to read:

5 (a) A person, municipal corporation, association, village, school district, or
6 religious or charitable organization, incorporated or unincorporated, may recover
7 damages in a civil action [IN AN AMOUNT NOT TO EXCEED \$10,000] and court
8 costs from either parent, both parents, or the legal guardian of an unemancipated
9 minor under the age of 18 years who, as a result of a knowing or intentional act,
10 destroys real or personal property belonging to the person, municipal corporation,
11 association, village, school district, or religious or charitable organization. However,
12 for purposes of this subsection,

13 **(1)** recovery in damages shall be apportioned by the court between the
14 parents or between the parents and legal guardian, or both, without regard to legal

1 custody but with due consideration for the actual care and custody of the minor
2 provided by the parents or legal guardian;

3 **(2) damages recovered by a person, municipal corporation,**
4 **association, village, or religious or charitable organization are limited to an**
5 **amount not to exceed \$10,000; and**

6 **(3) damages recovered by a school district are not limited by (2) of**
7 **this subsection.**

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

10 APPLICABILITY. This Act applies to a civil action that accrues on or after the
11 effective date of this Act.

12 * **Sec. 3.** This Act takes effect July 1, 2003.