

CS FOR HOUSE BILL NO. 249(JUD) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Amended: 4/23/03

Offered: 4/11/03

Sponsor(s): REPRESENTATIVES MCGUIRE, Lynn

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the award of costs and attorney fees to defendants under court rule**
2 **in civil actions brought under monopoly and restraint of trade statutes; and providing**
3 **for an effective date."**

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

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 LEGISLATIVE INTENT. This Act is intended to clarify and express the intent of
8 existing law.

9 * **Sec. 2.** AS 45.50.576 is amended by adding a new subsection to read:

10 (c) In a civil action brought under AS 45.50.562 - 45.50.570, if judgment is for the
11 defendant, the defendant shall be awarded the defendant's costs of the suit, including
12 reasonable attorney fees in accordance with rules adopted by the supreme court for awarding
13 costs and attorney fees to prevailing parties in civil actions. If the plaintiff in a civil action
14 brought under this section in which judgment is for the defendant is a class certified under

1 Rule 23, Alaska Rules of Civil Procedure, any award of costs and attorney fees to the
2 defendant

3 (1) may be satisfied only through funds, if any, that the class has
4 collected from settlements with or judgments against other defendants; and

5 (2) is not a liability of any individual member of the class.

6 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).