

HOUSE BILL NO. 310

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MCGUIRE, Gara

Introduced: 5/8/03

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to recovery of civil damages by a peace officer or fire fighter; and**
2 **providing for an effective date."**

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

4 *** Section 1.** AS 09.65 is amended by adding a new section to read:

5 **Sec. 09.65.290. Liability involving a peace officer or fire fighter.** (a) A
6 peace officer or fire fighter injured while in the line of duty or the personal
7 representative of a peace officer or fire fighter who died in the line of duty may not
8 bring a civil action to recover damages for a negligent act or omission if the negligent
9 act or omission created the need for the activity being performed by the peace officer
10 or fire fighter.

11 (b) This section does not apply to a negligent act or omission that is unrelated
12 to the activity that created the need for the presence of the peace officer or fire fighter.

13 (c) In this section, "fire fighter" means a person employed by a municipal fire
14 department or who is a member of a volunteer fire department registered with the state

1 fire marshal, or a person registered for purposes of workers' compensation with the
2 state fire marshal as a member of a volunteer fire department.

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

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

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