

CS FOR HOUSE BILL NO. 549(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/7/04

Referred: Rules

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to unsolicited communications following an aircraft accident."**

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

3 * **Section 1.** AS 02.40 is amended by adding a new section to read:

4 **Sec. 02.40.030. Unsolicited communication prohibited.** (a) Except as
5 provided in (b) of this section, in the event of an accident involving an air carrier
6 providing intrastate transportation of passengers, an attorney may not initiate a contact
7 with an individual injured in the accident or a relative of an individual involved in the
8 accident for the purpose of offering or discussing potential representation in an action
9 based on the accident for personal injury or wrongful death within 45 days following
10 the accident. In this subsection, "attorney" includes an attorney for an air carrier and
11 an associate, agent, employee, or other representative of an attorney.

12 (b) The prohibition in (a) of this section does not apply to the activities that an
13 air carrier or its insurers may undertake, or the obligations that an air carrier or its
14 insurers may have, in providing short-term physical or financial assistance to a
15 passenger or the family of a passenger involved in an aircraft accident.

1 (c) A person who violates this section is guilty of a class A misdemeanor and,
2 upon conviction, is punishable only by a fine of \$10,000. A person who violates this
3 section within 10 years following a prior conviction under this section is guilty of a
4 class B felony and, upon conviction, is punishable only by a fine of \$100,000.

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

7 **APPLICABILITY.** This Act applies to an accident involving an air carrier that occurs
8 on or after the effective date of this Act.