

SENATE BILL NO. 198

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR SEEKINS

Introduced: 4/25/03

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to recovery of civil damages by a peace officer or firefighter; 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 firefighter.** (a) A
6 peace officer or firefighter injured while in the line of duty or the personal
7 representative of a peace officer or firefighter 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 firefighter.

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 firefighter.

13 (c) In this section, "firefighter" 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.