

HOUSE BILL NO. 446

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE MCGUIRE

Introduced: 2/13/06

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the amount of a civil penalty for an unlawful act or practice in the
2 conduct of trade or commerce."

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

4 * **Section 1.** AS 45.50.551(a) is amended to read:

5 (a) A person who violates the terms of an injunction or restraining order
6 issued under AS 45.50.501 shall forfeit and pay to the state a civil penalty of not more
7 than \$50,000 for each [\$25,000 PER] violation. For the purposes of this section, the
8 superior court in a judicial district issuing an injunction retains jurisdiction, and the
9 cause shall be continued, and, in these cases, the attorney general acting in the name of
10 the state may petition for recovery of the penalties.

11 * **Sec. 2.** AS 45.50.551(b) is amended to read:

12 (b) In an action brought under AS 45.50.501, if the court finds that a person is
13 using or has used an act or practice declared unlawful by AS 45.50.471, the attorney
14 general, upon petition to the court, may recover, on behalf of the state, a civil penalty

1 of **not less than \$1,000 and** not more than **\$25,000 for each** [\$5,000 PER] violation.

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

4 APPLICABILITY. This Act applies to all penalties assessed on or after the effective
5 date of this Act, regardless of when the conduct occurred.