

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

**CS FOR HOUSE BILL NO. 446(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 2/27/06

Referred: Finance

Sponsor(s): REPRESENTATIVES MCGUIRE, Lynn, Gara, Dahlstrom, Gruenberg, Neuman

**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; and eliminating mandatory continuances in these**  
 3 **matters after issuance of an injunction."**

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

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

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

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

13 (b) In an action brought under AS 45.50.501, if the court finds that a person is  
 14 using or has used an act or practice declared unlawful by AS 45.50.471, the attorney

1           general, upon petition to the court, may recover, on behalf of the state, a civil penalty  
2           of **not less than \$1,000 and** not more than **\$25,000 for each** [\$5,000 PER] violation.

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

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