

**HOUSE BILL NO. 473**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES COGHILL, Gruenberg, Kerttula, Crawford, McGuire

Introduced: 2/13/06

Referred: Labor and Commerce, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act requiring certain businesses to recognize postmark dates as the date of  
2 payment."

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

4 \* **Section 1.** AS 45.45 is amended by adding a new section to read:

5 **Sec. 45.45.940. Date of payment.** (a) Unless otherwise required by federal law  
6 and notwithstanding any other provision of law to the contrary, when a purchaser of  
7 services pays for the services by mail or when a person who uses a credit card makes a  
8 payment on the credit card account by mail, the provider of the services or the issuer  
9 of the credit card may not use a date later than the postmark date on the mailed  
10 payment as the date when the provider considers that the payment was made.

11 (b) In this section,

12 (1) "provider" means a person, including a public utility, who engages  
13 in the business of providing services to another person for payment; in this paragraph,  
14 "public utility" has the meaning given in AS 42.05.990;

1 (2) "services" includes electrical services and telephone services.

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

4 **APPLICABILITY.** AS 45.45.940, added by sec. 1 of this Act, does not apply to a  
5 contract for services or for the issuance of a credit card that is entered into before the effective  
6 date of this Act if the contract contains a provision that conflicts with AS 45.45.940.