

HOUSE BILL NO. 280

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE GATTO

Introduced: 1/15/08
Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act modifying the application of small claims or district court procedures to certain**
2 **small claims by amending Rule 8(a), Alaska District Court Rules of Civil Procedure."**

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 DIRECT COURT RULE AMENDMENT. Rule 8(a), Alaska District Court
7 Rules of Civil Procedure, is repealed and reenacted to read:

8 (a) The procedure in a small claims action, as defined by AS 22.15.040, is
9 governed by these small claims rules and other rules specifically incorporated by
10 reference. However, Part I of the District Court Rules of Civil Procedure applies

11 (1) if the claim does not exceed 50 percent of the maximum amount of
12 a small claim, as defined by AS 22.15.040, and all parties agree;

13 (2) if the claim exceeds 50 percent of the maximum amount of a small
14 claim, as defined by AS 22.15.040, whenever any party elects that the action shall be

1 governed by those rules.

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

4 **APPLICABILITY.** This Act applies to a small claim filed on or after the effective date
5 of this Act.

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

8 **CONDITIONAL EFFECT.** This Act takes effect only if it receives the two-thirds
9 majority vote of each house required by art. IV, sec. 15, Constitution of the State of Alaska.