

AMENDMENT # 1

OFFERED IN THE SENATE
TO: SB 200

BY SENATOR WIELECHOWSKI

1 Page 1, line 2, following "circumstances":

2 Insert "; and relating to noneconomic damages in wrongful death actions"

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4 Page 2, following line 6:

5 Insert a new subsection to read:

6 "(c) Damages to be awarded under this section may include pecuniary loss,
7 noneconomic damages, and punitive damages under AS 09.17.020."

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9 Reletter the following subsection accordingly.

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11 Page 2, following line 9:

12 Insert new bill sections to read:

13 **** Sec. 3.** AS 09.17.010(a) is amended to read:

14 (a) In an action to recover damages for personal injury [OR WRONGFUL
15 DEATH], all damage claims for noneconomic losses shall be limited to compensation
16 for pain, suffering, inconvenience, physical impairment, disfigurement, loss of
17 enjoyment of life, loss of consortium, and other nonpecuniary damage.

18 *** Sec. 4.** AS 09.17.010(b) is amended to read:

19 (b) Except as provided under (c) of this section, the damages awarded by a
20 court or a jury under (a) of this section for all claims, including a loss of consortium
21 claim, arising out of a single injury [OR DEATH] may not exceed \$400,000 or the
22 injured person's life expectancy in years multiplied by \$8,000, whichever is greater.

23 *** Sec. 5.** AS 09.17.010 is amended by adding a new subsection to read:

1 (e) This section does not apply to wrongful death actions brought under
2 AS 09.15.010, 09.15.018, or AS 09.55.580."