

SENATE BILL NO. 180

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/9/18

Referred: Community and Regional Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act amending and repealing registration filing provisions of the Uniform Land**
2 **Sales Practices Act; relating to the jurisdiction of the office of administrative hearings;**
3 **and providing for an effective date."**

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

5 * **Section 1.** AS 34.55.028(a) is amended to read:

6 (a) A person who wilfully violates AS 34.55.006 [OR 34.55.008] is, upon
7 conviction, punishable by a fine of not more than \$50,000, or by imprisonment for not
8 less than one year nor more than five years, or by both fine and imprisonment.

9 * **Sec. 2.** AS 34.55.030(a) is amended to read:

10 (a) A person who disposes of subdivided land in violation of AS 34.55.006
11 [OR 34.55.008] is liable as provided in this section to the purchaser unless in the case
12 of an untruth or omission it is proved that the purchaser knew of the untruth or
13 omission or that the person offering or disposing of subdivided land did not know and
14 in the exercise of reasonable care could not have known of the untruth or omission.

1 * **Sec. 3.** AS 34.55.046 is amended to read:

2 **Sec. 34.55.046. Short title.** This chapter may be cited as the [UNIFORM]
3 Land Sales Practices Act.

4 * **Sec. 4.** AS 34.55.004, 34.55.008, 34.55.010, 34.55.012, 34.55.014, 34.55.016, 34.55.018,
5 34.55.020, 34.55.022, 34.55.024, 34.55.026, 34.55.028(b), 34.55.030(d), 34.55.030(g),
6 34.55.034, 34.55.036, 34.55.038, 34.55.042(a), 34.55.044(1); and AS 44.64.030(a)(24) are
7 repealed.

8 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 TRANSITIONAL PROVISIONS. (a) Notwithstanding the amendment or repeal of a
11 statute made in secs. 1 - 4 of this Act, regulations that were adopted under authority of those
12 statutes and that were in effect on the day before the effective date of this Act remain in effect
13 and may be implemented, enforced, or repealed by the Department of Commerce,
14 Community, and Economic Development as necessary to carry out the functions assigned to it
15 by this Act.

16 (b) AS 34.55.008, 34.55.010, 34.55.012, 34.55.014, 34.55.016, 34.55.018, 34.55.020,
17 34.55.024, 34.55.026, 34.55.030(d), 34.55.030(g), 34.55.034, 34.55.036, 34.55.038,
18 34.55.042(a), and AS 44.62.030(a)(24), as those statutes read on the day before the effective
19 date of this Act, continue to apply to an offer, sale, or purchase of subdivided land subject to
20 AS 34.55 made on or before the effective date of this Act.

21 (c) Contracts, rights, liabilities, and obligations created by or under a law amended or
22 repealed by this Act, and in effect on the day before the effective date of this Act, remain in
23 effect notwithstanding this Act's taking effect.

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

26 REVISOR'S INSTRUCTION. The revisor of statutes is requested to change the
27 chapter heading of AS 34.55 from "Uniform Land Sales Practices Act" to "Land Sales
28 Practices Act."

29 * **Sec. 7.** Section 5 of this Act takes effect immediately under AS 01.10.070(c).