

HOUSE BILL NO. 221

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES CARRICK, Prax

Introduced: 1/16/24

Referred: Community and Regional Affairs, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to subdivision of unplatted land in second class boroughs; and**
2 **providing for an effective date."**

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

4 *** Section 1.** AS 29.35.210(b) is amended to read:

5 (b) A second class borough may by ordinance exercise the following powers
6 on an areawide basis:

7 (1) provide transportation systems;

8 (2) license, impound, and dispose of animals;

9 (3) provide air pollution control under AS 46.14.400;

10 (4) provide water pollution control;

11 (5) license day care facilities;

12 (6) establish an energy and resilience improvement assessment
13 program under AS 29.55.100 - 29.55.165;

14 **(7) establish an exemption process to permit the owner of land**

1 **located in a subdivision to file or record in a public recorder's office a plat, or**
2 **other document depicting subdivided land, that has not been approved by the**
3 **platting authority.**

4 * **Sec. 2.** AS 29.40.180(a) is amended to read:

5 (a) The owner of land located in a subdivision may not transfer, sell, offer to
6 sell, or enter into a contract to sell land in a subdivision before a plat of the
7 subdivision has been prepared, approved, filed, and recorded in accordance with this
8 chapter. A person may not file or record **in a public recorder's office** a plat or other
9 document depicting subdivided land [IN A PUBLIC RECORDER'S OFFICE] unless
10 the plat or document

11 **(1) has been approved by the platting authority; or**

12 **(2) meets the requirements of an exemption process established**
13 **under AS 29.35.210(b)(7) by the borough in which the land is located.**

14 * **Sec. 3.** AS 40.15.070(a) is amended to read:

15 (a) If land proposed to be subdivided or dedicated is situated within a
16 municipality that has the power of land use regulation and that is exercising platting
17 authority, the proposed subdivision or dedication shall be submitted to the municipal
18 platting authority for approval. **Except as provided in AS 29.40.180(a)(2), a** [A]
19 subdivision may not be filed and recorded until it is approved by the platting authority.

20 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).