

HOUSE BILL NO. 349

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE FIELDS

Introduced: 2/23/26

Referred: Judiciary, State Affairs

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to civil liability for depriving a person of a right, privilege, or
2 immunity secured by the United States Constitution."

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

4 * **Section 1.** AS 09.10.070(a) is amended to read:

5 (a) Except as otherwise provided by law, a person may not bring an action (1)
6 for libel, slander, assault, battery, seduction, or false imprisonment; [,] (2) for personal
7 injury or death, or injury to the rights of another not arising on contract and not
8 specifically provided otherwise; (3) for taking, detaining, or injuring personal
9 property, including an action for its specific recovery; (4) upon a statute for a
10 forfeiture or penalty to the state; [OR] (5) upon a liability created by statute, other than
11 a penalty or forfeiture; **or (6) for interference or attempted interference with, or**
12 **deprivation of, a right, privilege, or immunity under AS 09.65.360;** unless the
13 action is commenced within two years of the accrual of the cause of action.

14 * **Sec. 2.** AS 09.65 is amended by adding a new section to read:

1 **Sec. 09.65.360. Liability for deprivation or interference with a**
2 **constitutional right.** (a) A person who has been deprived of a right, privilege, or
3 immunity secured by the United States Constitution or the Constitution of the State of
4 Alaska, or a person whose exercise or enjoyment of a right, privilege, or immunity has
5 been interfered with or attempted to be interfered with by a federal official acting
6 under color of law, may bring a civil action for damages and for injunctive or other
7 appropriate relief.

8 (b) A court of this state has jurisdiction under AS 09.05.015(a) over the
9 subject matter of an action brought under this section and a person who is served in
10 that action according to the Alaska Rules of Civil Procedure. An action brought under
11 this section must be filed in the superior court.

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

14 **APPLICABILITY:** This Act applies to actions that are filed in a court of this state on
15 or after the effective date of this Act.