

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

April 23, 2025

1:01 p.m.

MEMBERS PRESENT

Representative Andrew Gray, Chair
Representative Chuck Kopp, Vice Chair
Representative Ted Eischeid
Representative Genevieve Mina
Representative Sarah Vance
Representative Mia Costello
Representative Jubilee Underwood

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 159

"An Act relating to the removal of unlawful occupants from residential real property; relating to the crimes of trespass, forgery, and deceptive business practices; and amending Rules 82 and 85(a), Alaska Rules of Civil Procedure."

- HEARD & HELD

HOUSE BILL NO. 51

"An Act relating to an appropriation limit; relating to the budget responsibilities of the governor; and providing for an effective date."

- MOVED HB 51 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 159

SHORT TITLE: PROPERTY POSSESSION AND PROPERTY CRIMES

SPONSOR(S): REPRESENTATIVE(S) RAUSCHER

03/26/25	(H)	READ THE FIRST TIME - REFERRALS
03/26/25	(H)	JUD, L&C
04/23/25	(H)	JUD AT 1:00 PM GRUENBERG 120

BILL: HB 51

SHORT TITLE: APPROPRIATION LIMIT; GOV BUDGET
SPONSOR(s): REPRESENTATIVE(s) STAPP

01/22/25	(H)	READ THE FIRST TIME - REFERRALS
01/22/25	(H)	JUD, FIN
03/24/25	(H)	JUD AT 1:00 PM GRUENBERG 120
03/24/25	(H)	Heard & Held
03/24/25	(H)	MINUTE(JUD)
04/04/25	(H)	JUD AT 1:00 PM GRUENBERG 120
04/04/25	(H)	-- Public Testimony <Time Limit May Be Set> --
04/07/25	(H)	JUD AT 1:00 PM GRUENBERG 120
04/07/25	(H)	Heard & Held
04/07/25	(H)	MINUTE(JUD)
04/23/25	(H)	JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

REPRESENTATIVE GEORGE RAUSCHER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 159.

CRAIG VALDEZ, Staff
Representative George Rauscher
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for HB 159, on behalf of Representative Rauscher, prime sponsor.

NANCY MEADE, General Counsel
Alaska Court System
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 159.

REPRESENTATIVE WILL STAPP
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, gave a summary of HB 51.

ACTION NARRATIVE

[1:01:39 PM](#)

CHAIR ANDREW GRAY called the House Judiciary Standing Committee meeting to order at 1:01 p.m. Representatives Underwood,

Costello, Mina, Eischeid, Vance, and Gray were present at the call to order. Representative Kopp arrived as the meeting was in progress.

HB 159-PROPERTY POSSESSION AND PROPERTY CRIMES

[1:02:29 PM](#)

CHAIR GRAY announced that the first order of business would be HOUSE BILL NO. 159, "An Act relating to the removal of unlawful occupants from residential real property; relating to the crimes of trespass, forgery, and deceptive business practices; and amending Rules 82 and 85(a), Alaska Rules of Civil Procedure."

[1:02:56 PM](#)

REPRESENTATIVE GEORGE RAUSCHER, Alaska State Legislature, as prime sponsor, presented HB 159. He paraphrased the sponsor statement [included in the committee packet], which read as follows [original punctuation provided]:

House Bill 159 gives Alaska homeowners a faster and safer way to reclaim their residential property from individuals unlawfully occupying it. These cases, commonly called squatting, are growing more frequent and complex, often forcing owners into costly and time-consuming court battles.

HB 159 creates a streamlined civil remedy allowing a property owner or agent to request law enforcement assistance in removing an unauthorized occupant under clearly defined conditions. The owner must certify, under penalty of perjury, that the occupant has no lease, ownership interest, or family relationship, and law enforcement must verify eligibility before acting.

To prevent abuse, the bill holds owners liable for wrongful removals and provides strong remedies for occupants who are improperly evicted, including damages and full attorney's fees.

HB 159 also strengthens penalties for criminal trespass, forgery, and deceptive business practices and updates Alaska's civil rules to accelerate eviction proceedings while maintaining fairness for all parties.

Alaskans who lawfully own property should not have to wait months or pay thousands to remove someone with no legal right to be there. HB 159 offers a common-sense solution to protect property rights and public safety.

I urge your support for this important legislation.

[1:06:04 PM](#)

CRAIG VALDEZ, Staff, Representative George Rauscher, Alaska State Legislature, on behalf of Representative Rauscher, prime sponsor, presented the sponsor statement for HB 159 [included in the committee packet], which read as follows [original punctuation provided]:

Section 1: Section 1 lets property owners or their agents request law enforcement to immediately remove unlawful occupants from residential property without a court eviction, if no rental agreement ever existed. The process requires a sworn affidavit and verification by a peace officer. Wrongfully removed occupants can sue for damages. This does not affect criminal trespass laws.

Section 2: Adds a new subsection to AS 11.46.320 (b) defining criminal trespass in the first degree as a class B felony

Section 3: Adds rental agreements to AS 11.46.505(a) as a crime of forgery in the second degree

Section 4: Adds a new subsection making the sell, lease, or advertise of a dwelling by an unauthorized person a crime of deceptive business practices

Section 5: Clarifies that deceptive business practices remain a class A misdemeanor, except in cases outlined in the new subsection (e).

Section 6: Provides additional definitions of a class C felony for deceptive business practices

Section 7: Adds a new subsection to AS 11.46.710 defining deceptive business practices as a class C felony if the person violates (a)(6) of this section

Section 8: Directly amends Rule 85(a) of the Alaska Rules of Civil Procedure to expedite eviction proceedings. It shortens the eviction hearing timeline from 15 to 7 days after filing, clarifies service and dismissal procedures, and allows clerks to dismiss inactive eviction cases without additional notice, provided the complaint includes standardized notice language.

Section 9: Adds a new section to the uncodified law of the State of Alaska allowing for the recovery of full reasonable attorney fees to an occupant who has been wrongfully removed from a dwelling unit under AS.09.45.950 enacted by sec. 1 of this act

Section 10: Sets a conditional effect requiring two-thirds vote of each house to implement section 9.

CHAIR GRAY sought questions from members of the committee.

[1:09:02 PM](#)

REPRESENTATIVE VANCE shared concerns expressed by her constituents. She referred to page 5, section 6, and asked why "dwelling" was selected over "real property."

MR. VALDEZ offered to follow up with the requested information.

REPRESENTATIVE VANCE asked about criminal trespass in the first degree and asked why \$1,000 in damages was chosen for a class B felony.

MR. VALDEZ said \$1,000 was chosen as a benchmark for damages caused to ensure that some damage was committed in the commencement of the crime.

REPRESENTATIVE VANCE expressed interest in revisiting the dollar amount with the Department of Law (DOL).

[1:12:21 PM](#)

REPRESENTATIVE UNDERWOOD shared that in her experience in real estate, this is a large issue in her district. She said something needs to be done for squatting rights and protecting private property.

[1:12:59 PM](#)

REPRESENTATIVE MINA asked how creating a statewide civil system would interact with local governments and their policies on squatters.

MR. VALDEZ explained that the bill would give local law enforcement the option to quickly remedy the issue as long as there's no lease and the other stipulations outlined in the affidavit are complied with.

REPRESENTATIVE MINA asked how this would change existing practices pertaining the removal of a person from a property.

MR. VALDEZ offered to follow up with the requested information.

[1:15:07 PM](#)

REPRESENTATIVE COSTELLO asked what would happen if someone's remote, undeveloped property is sold by a perpetrator who lives out of state.

MR. VALDEZ said it would be considered a deceptive business practice and classified as a felony crime.

CHAIR GRAY referred to paragraph (5) on page 2, line 4, which states that the occupant is not an immediate family member of the property owner, and asked where the language came from.

MR. VALDEZ explained that in working with Legislative Legal Services, the intention was to remain focused on squatters, as opposed to domestic disputes.

CHAIR GRAY asked whether an adult child is considered an immediate family member.

MR. VALDEZ answered yes. In response to a follow up comment, he referred to page 4, line 29, which defines "immediate family member" as a spouse, child, sibling, parent, grandparent, grandchild, stepparent, stepchild, or stepsibling.

CHAIR GRAY said the definition creates even more concern.

[1:18:37 PM](#)

REPRESENTATIVE VANCE sought clarity on page 5, lines 25-26, which states that the section does not limit the rights of

property owners or prohibit a peace officer from arresting an occupant for criminal trespass or another legal cause.

REPRESENTATIVE RAUSCHER said he would have no problem with addressing this language. He shared that even in his small town of Sutton with a population of 900 people, these crimes are occurring.

[1:20:46 PM](#)

CHAIR GRAY invited Ms. Meade to speak to the changes to the Alaska Rules of Court ("court rules").

[1:20:56 PM](#)

NANCY MEADE, General Counsel, Alaska Court System (ACS), explained that the bill has one direct court rule amendment and one indirect court rule amendment. She voiced her concern about the change to the eviction procedure in Section 8, which changes the timeframe for an eviction hearing from 15 to 7 days. She opined that changing it to 7 days would be difficult to accomplish and detrimental to the landlords and tenants. She explained that during the 15 days between filing and hearing, a lot of things take place, such as hiring an attorney, potential mediation, or acquiring the rent, for example. She reiterated her belief that this change would be counterproductive to most evictions. The second court rule amendment is in Section 9, which would indirectly amend Civil Rule 82, the attorney's fees rule where the prevailing party gets a percentage of their reasonable attorney's fees. The bill states that an individual could recover 100 percent of the reasonable attorney's fees if wrongfully ousted. This, she said, would be an indirect change and a policy call for the legislature to make, as it would require a two-thirds vote.

REPRESENTATIVE VANCE inquired as to the percentage of attorney's fees that are currently recoverable.

MS. MEADE said sometimes it's 20 percent and sometimes it's 50 percent. The court exercises discretion based on the complexity of the case.

[1:25:06 PM](#)

CHAIR GRAY asked why Section 8 is included in the bill, as it applies to people under lease.

MR. VALDEZ described it as an attempt to speed up proceedings and a "hanging chad" to the process. He added that the sponsor is amenable to removing this section.

[1:26:02 PM](#)

REPRESENTATIVE RAUSCHER confirmed that he is amenable to changing the bill and addressing these concerns and thanked the committee for hearing the bill and being willing to correct errors that may have been overlooked while drafting the legislation.

CHAIR GRAY announced that that HB 159 was held over.

[1:27:35 PM](#)

The committee took a brief at-ease at 1:27 p.m.

HB 51-APPROPRIATION LIMIT; GOV BUDGET

[1:27:47 PM](#)

CHAIR GRAY announced that the final order of business would be HOUSE BILL NO. 51, "An Act relating to an appropriation limit; relating to the budget responsibilities of the governor; and providing for an effective date."

[1:28:16 PM](#)

REPRESENTATIVE WILL STAPP, Alaska State Legislature, as prime sponsor, gave a summary of HB 51, which is a spending cap revision that would change the statutory appropriation limit; however, to be effective, it must be passed with the accompanying piece of legislation that changes the constitutional appropriations limit.

[1:29:00 PM](#)

REPRESENTATIVE KOPP asked whether this would interfere with the state government's ability to respond to an emergency event.

REPRESENTATIVE STAPP answered no, disasters are exempt from the statutory and constitutional appropriation limit.

[1:29:36 PM](#)

REPRESENTATIVE COSTELLO opined that the bill is necessary.

1:29:58 PM

REPRESENTATIVE KOPP moved to report HB 51 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 51 was reported out of the House Judiciary Standing Committee.

1:30:43 PM

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 1:30 p.m.