

1 IN THE HOUSE

BY MR. TAYLOR

2 HOUSE BILL NO. 41

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA.

4 TWENTY-THIRD SESSION

5 A BILL

6 For an Act entitled: "An Act relating to judgments, increasing
7 homestead exemptions; amending Section
8 55-9-79, ACLA 1949; and setting an effec-
9 tive date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA;

11 Section 1. Section 55-9-79, ACLA 1949, is hereby amended
12 to read as follows:

13 Sec. 55-9-79. HOMESTEAD EXEMPTION. The homestead of
14 any family, or the proceeds thereof, shall be exempt from
15 judicial sale for the satisfaction of any liability here-
16 after contracted or for the satisfaction of any judgment
17 hereafter obtained on such debt. Such homestead must be
18 the actual abode of and owned by such family or some members
19 thereof. It shall not exceed twelve thousand / TWO THOUSAND
20 FIVE HUNDRED / dollars in value, nor exceed one hundred and
21 sixty acres in extent if not located in a town or city laid
22 off into blocks or lots, or if located in any such town or
23 city, then it shall not exceed one-fourth of one acre. This
24 act shall not apply to decrees for the foreclosure of any
25 mortgage properly executed; but if the owners of such
26 homestead be married, then it shall be executed by husband
27 and wife. When any officer shall levy upon such homestead,
28 the owner thereof, or the wife, husband, agent, or attorney
29 of such owner, may notify such officer that he claims such

1 premises as his homestead, describing the same by metes and
2 bounds, lot or block, or legal subdivision of the United
3 States, whereupon such officer shall notify the creditor of
4 such claim, and if such homestead shall exceed the maximum
5 in this section, and he deem it of greater value than twelve
6 thousand [TWO THOUSAND FIVE HUNDRED] dollars, then he
7 may direct the marshal to select three disinterested persons,
8 who shall examine and appraise such homestead, under oath,
9 commencing with the twenty acres of lot upon which the
10 dwelling is located, appraising each lot or twenty acres
11 separately; and if the same exceed twelve thousand [TWO
12 THOUSAND FIVE HUNDRED] dollars, then the marshal shall
13 proceed to sell all in excess of twelve thousand [TWO
14 THOUSAND FIVE HUNDRED] dollars by lots or smallest legal
15 subdivisions, offering them in the order directed by the
16 judgment debtor, if he chooses to direct; otherwise he
17 shall sell the same as aforesaid so as to leave the home-
18 stead as compact as possible. The homestead aforesaid shall
19 be exempt from sale or any legal process after the death
20 of the person entitled thereto for the collection of any
21 debts for which the same could not have been sold during
22 his lifetime.

23 Sec. 2. This Act shall take immediate effect and be in
24 force from and after its passage and approval or upon its
25 becoming law without such approval, and it is so enacted.