

1 IN THE HOUSE

BY MR. TAYLOR

2 HOUSE BILL NO. 128

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-THIRD SESSION

5 A BILL

6 For an Act entitled: "An Act to provide for a determination of
7 comparative negligence by the jury in
8 certain actions."

9 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA

10 Section 1. In all actions for damages, including damages
11 for care and loss of services, because of bodily injury to or
12 death of any person or for damages because of injury to or destruc-
13 tion of property, including the loss of use thereof, the fact
14 that the person injured or the owner of the property, or person
15 having control over the property may have been guilty of con-
16 tributory negligence shall not bar a recovery, but damages shall
17 be diminished by the jury in proportion to the amount of negli-
18 gence attributable to the person injured or the owner of the
19 property, or the person having control over the property, and all
20 questions of negligence and contributory negligence shall be
21 resolved by the jury.

22 Sec. 2. Sec. 1 of this Act shall apply even in those cases
23 in which the defendant has had the last clear chance to avoid
24 injury.

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