

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

IN THE HOUSE

BY MESSRS. TAYLOR AND SANDERS

HOUSE BILL NO. 249

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to damages in a suit for the wrongful death of a child; and amending Sec. 61-7-3, ACLA 1949 as last amended by Ch. 163, SLA 1960."

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

Section 1. The first paragraph of Sec. 61-7-3, ACLA 1949, as last amended by Ch. 163, SLA 1960, is amended to read:

Sec. 61-7-3. ACTION FOR WRONGFUL DEATH: DISPOSITION OF AMOUNT RECOVERED. When the death of a person is caused by the wrongful act or omission of another, the personal representatives of the former may maintain an action therefor [THEREFORE] against the latter, if the former might have maintained an action, had he lived, against the latter for an injury done by the same act or omission. Such action shall be commenced within two years after the death, and the damages therein shall [,] be such damages as the court or jury may deem fair and just and the amount recovered, if any, shall be exclusively for the benefit of the decedent's husband or wife and children when he or she leaves a husband, wife or children, him or her surviving or dependents; and when he or she leaves no husband, wife or children, him or her surviving, or other dependents, the amount recovered shall be administered as other personal property of the deceased person but shall not be liable for any debt of the deceased [BE LIMITED TO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

PECUNIARY LOSS]. In an action brought for the benefit of a parent for the death of a child the measure of damages which may be awarded, if proved, shall be the same as in an action for the death of a spouse or parent. When the Plaintiff prevails, the trial court shall determine the allowable costs and expenses of the action and may, in its discretion, require notice and hearing thereon. The amount recovered shall be distributed only after payment of all costs and expenses of suit and debts and expenses of administration.