

BY SENATORS McNEALY  
AND POLLOCK

1 IN THE SENATE

2 SENATE BILL NO. 192

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to permit recovery in negligence  
7 actions although the plaintiff is contri-  
8 butorily negligent."

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

10 Section 1. In actions for negligence resulting in personal  
11 injury, wrongful death, or property damage, including those in  
12 which the defendant has had the last clear chance to avoid the  
13 injury, the contributory negligence of the person injured, the  
14 deceased, the owner of the property, or the person having control  
15 over the property does not bar a recovery if his contributory  
16 negligence was, under all the circumstances surrounding the  
17 occurrence, slight by comparison with the negligence of the  
18 defendant in causing the injury, death or damage to property  
19 complained of in the action, but the damages awarded shall be  
20 diminished in proportion to the amount of negligence attributable  
21 to the person injured, the deceased, the owner of the property,  
22 or the person having control over the property.

23 Sec. 2. This Act does not affect in any way those causes  
24 of action which arise before the effective date of this Act, or  
25 the trial of them.

26 Sec. 3. This Act does not apply to employees under Sec. 43-  
27 2-52, ACLA 1949.

28  
29 SB #192