

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO. 331

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to claims against the  
7 state."

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

9 \* Section 1. PURPOSE. The purpose of this Act is to clarify  
10 AS 09.50.250 - 09.50.300 by indicating that these sections are not  
11 limited to tort claims.

12 \* Sec. 2. AS 09.50.250 is amended to read:

13 Sec. 09.50.250. ACTIONABLE CLAIMS AGAINST THE STATE.

14 A person or corporation having any [A] claim against the  
15 state may bring an action against the state in the superior  
16 court. However, no action may be brought under this section  
17 if the claim

18 (1) is based upon a act or omission of an employee  
19 of the state, exercising due care, in the execution of a  
20 statute or regulation, whether or not such statute or regula-  
21 tion is valid; or based upon the exercise or performance or  
22 the failure to exercise or perform a discretionary function  
23 or duty on the part of a state agency or an employee of the  
24 state, whether or not the discretion involved is abused;

25 (2) is for damages caused by the imposition or  
26 establishment of a quarantine by the state;

27 (3) arises out of assault, battery, false imprison-  
28 ment, false arrest, malicious prosecution, abuse of process,  
29 libel, slander, misrepresentation, deceit, or interference

- 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

with contract rights.