

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO. 71

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST 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
11 not 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 an act or omission of an
19 employee of the state, exercising due care, in the execution
20 of a statute or regulation, whether or not such statute or
21 regulation is valid; or based upon the exercise or perfor-
22 mance or the failure to exercise or perform a discretionary
23 function or duty on the part of a state agency or an employee
24 of the state, whether or not the discretion involved is
25 abused;

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

28 (3) arises out of assault, battery, false imprison-
29 ment, false arrest, malicious prosecution, abuse of process

SB 71

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

libel, slander, misrepresentation, deceit, or interference
with contract rights.