

Introduced: 1/30/68
Referred: Judiciary and
Commerce

1 IN THE HOUSE

BY STEVENS AND SASSARA

2 HOUSE BILL NO. 466

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to deceptive advertising."

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

8 * Section 1. AS 45.50.500 is amended to read:

9 Sec. 45.50.500. PENALTIES. (a) A person who knowingly violates
10 a provision of sec. 490 of this chapter is guilty of a misdemeanor and
11 upon conviction is punishable by imprisonment for not more than 90 days
12 or by a fine of not more than \$5,000, or by both.

13 (b) A person suffering loss because of another's violation of
14 sec. 490 of this chapter may institute civil proceedings against the
15 person due to the loss suffered; however, the measure of damages shall
16 not be limited to actual loss but shall include punitive damages of not
17 less than \$1,000 plus the reasonable expenses of prosecuting the
18 action, including attorney fees.

19 (c) A person from outside the state who violates sec. 490 of the
20 chapter in this state shall be considered to have appointed the
21 secretary of state of this state as his authorized agent to receive
22 service of process under (b) of this section. The secretary of state
23 shall, within 10 days of receipt of the process, mail by registered
24 mail return receipt requested a copy of the process to the defendant's
25 last known address. The cost for this service shall be set at a
26 reasonable rate by the secretary of state and shall be paid by the
27 plaintiff as an incident to prosecuting his case.

28 (d) Nothing in this section may be considered to require prosecu-
29 tion by the state before institution of a civil action under this

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