

SCS

Introduced: 2/23/70
Referred: Rules

IN THE HOUSE

BY THE JUDICIARY COMMITTEE

HOUSE BILL NO. 741

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the common law remedy of distress for rent."

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

* Section 1. AS 34.05.010 is amended by adding a new subsection to read:

(d) In the exercise of the common law remedy of distress for rent, no landlord or lessor of residential property may seize, sequester, attach, or keep a tenant from the use or possession of any property exempt from execution or attachment under state or federal law. In an action for the recovery of property taken or seized in violation of this subsection, appropriate orders or other relief shall be granted by the court on ex parte application where necessary to prevent hardship to the complainant. A hearing shall be held not less than two nor more than four days following the service of summons and complaint upon the adverse party. No continuance shall be granted for a longer period than two days unless the defendant applying for the continuance gives an undertaking to the complainant, with sureties approved by the court, conditioned to the payment of damages which might result from a violation of this subsection.