

Introduced: 5/27/70
Referred: Judiciary

BY THE JUDICIARY COMMITTEE
BY REQUEST

1 IN THE HOUSE

2 HOUSE BILL NO. 876

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to vexatious litigants."

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

8 * Section 1. AS 09.15 is amended by adding a new section to read:

9 Sec. 09.15.040. VEXATIOUS LITIGANT. (a) A person who in the
10 immediately preceding three-year period has commenced in propria
11 persona, individually, as a member of a partnership, or as representa-
12 tive of a class, at least five litigations in the superior court in-
13 volving a municipal corporation and affecting its right to issue bonds
14 or levy taxes or its corporate existence that have been determined
15 adversely to him, is considered a vexatious litigant.

16 (b) On application of the municipal corporation and upon a showing
17 that the effect of filing of a suit against a municipal corporation by
18 the vexatious litigant is to foreclose the municipal corporation from
19 delivering an issue of bonds or notes which have already been sold, the
20 court may require the vexatious litigant to give security in the amount
21 and upon the terms and conditions required for the granting of a
22 restraining order or temporary injunction.

23 (c) Upon failure of the vexatious litigant to give security as
24 ordered by the court, the suit against the municipal corporation shall
25 be dismissed. However, such a dismissal does not foreclose the rights
26 of any person who is not a vexatious litigant to commence or maintain the
27 same or any other litigation as provided by law.
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