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Introduced: 3/10/69  
Referred: Judiciary

1 IN THE SENATE

BY HAGGLAND

2 SENATE BILL NO. 245

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to contribution among joint tort-  
7 feorsors."

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

9 \* Section 1. AS 09.35.200 is amended to read:

10 Sec. 09.35.200. CONTRIBUTION AMONG JOINT JUDGMENT DEBTORS. When  
11 property liable to an execution against several persons is sold and  
12 more than a due proportion of the judgment is satisfied out of the  
13 proceeds of the sale of the property of one of them or one of them pays  
14 more than his proportion without a sale, he may compel contributions  
15 from the others. This applies to judgments in tort actions as well as  
16 other actions, and contribution among joint tortfeorsors is permitted;  
17 however, this does not defeat a right of indemnity which one joint  
18 tortfeorsor would otherwise have against another. When a judgment is  
19 against several and is upon an obligation of one of them as security for  
20 another and the surety pays the amount or a part of it, either by sale  
21 of his property or before sale, he may compel repayment from the  
22 principal. In that case, the person so paying or contributing is  
23 entitled to the benefit of the judgment to enforce contribution or  
24 repayment if he files notice of his payment and claim to contribution  
25 or repayment with the court where the judgment was rendered within 30  
26 days after his payment.

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