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1 IN THE HOUSE

BY SWANSON

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HOUSE BILL NO. 40

IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to defenses against civil liability."

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

* Section 1. AS 09.65 is amended by adding a new section to read:

Sec. 09.65.110. CIVIL DEFENSE IN CERTAIN ACTIONS. (a) A person shall not be civilly liable for injury or death resulting from use of reasonably necessary force in repelling a physical attack on himself, his family, or his property, or for coming to the aid of another who is in imminent danger or the victim of assault, robbery, rape, murder, burglary, a crime involving the use of a bomb, or any other crime referred to in AS 11.15.010, the attempted perpetration of which, if accompanied by a killing, would result in a charge of first degree murder.

(b) If the person injured is convicted of a crime which under (a) of this section would justify the protective acts of the defendant in a civil suit or if the trier of fact in a civil action for damages finds that the person who was killed had committed or attempted to commit a crime in (a) of this section, the protective act of the defendant shall be considered justified and no civil liability may be attached for his protective actions.

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