

Original Sponsor: Swanson

Offered: 1/22/71
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 40

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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

9 Sec. 09.65.095. CIVIL LIABILITY FOR DEFENSIVE ACTION. (a) A
10 person is not civilly liable for injury or death resulting from use
11 of reasonably necessary force in

12 (1) repelling a physical attack on himself, his family,
13 or his property;

14 (2) coming to the aid of another person who is in imminent
15 physical danger or whose property is in imminent danger.

16 (b) This section does not preclude liability for civil damages
17 as a result of gross negligence or intentional misconduct. Gross
18 negligence means reckless, wilful, or wanton misconduct.
19
20
21
22
23
24
25
26
27
28
29