

Introduced: 2/13/74
Referred: Commerce and
Judiciary

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 HOUSE BILL NO. 617

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to costs and attorney fees in
7 insurance actions; and changing Rule 79 and Rule 82(a),
8 Rules of Civil Procedure."

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

10 * Section 1. AS 09.60 is amended by adding a new section to read:

11 Sec. 09.60.017. COSTS AND ATTORNEY FEES IN INSURANCE ACTIONS.

12 Costs and attorney fees awarded to the prevailing party against an
13 insurance company for a cause of action in which the defendant is
14 insured shall be based on the maximum amount of coverage provided the
15 defendant and not the amount of the actual award in the action.

16 * Sec. 2. Section 1 of this Act changes Rule 79, Rules of Civil Proce-
17 dure by limiting allowable costs to the prevailing party in cases where the
18 defendant is insured, and changes Rule 82(a), Rules of Civil Procedure by
19 limiting the allowable attorney fees to the prevailing party in cases where
20 the defendant is insured.