

Introduced: 1/12/77
Referred: State Affairs
and Judiciary

BY BROWN, GARDINER AND
MILLER

1 IN THE HOUSE

2 CS HOUSE BILL NO. 43

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a grant of jurisdiction to the
7 district courts over claims against the state brought
8 under the small claims procedural rules."

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

10 * Section 1. AS 22.15.050 is amended to read:

11 Sec. 22.15.050. ACTIONS NOT WITHIN CIVIL JURISDICTION. The juris-
12 diction of the district courts does not extend to

13 (1) an action in which the title to real property is in
14 question;

15 (2) an action for false imprisonment, libel, slander, mali-
16 cious prosecution, criminal conversation, seduction upon a promise to
17 marry, actions of an equitable nature (except as provided in sec. 30(a)(9)
18 of this chapter), or actions other than actions brought as small claims
19 in which the state is a defendant.

20 * Sec. 2. AS 09.50.250 is amended by adding a new subsection to read:

21 (b) A person having a small claim, as defined by AS 22.15.040,
22 against the state may bring an action against the state in the district
23 court under the procedural rules prescribed for small claims by the
24 supreme court.

25 * Sec. 3. District Court Civil Rule 11(c) is amended to read:

26 (c) The summons and complaint may be served within the state by
27 registered or certified mail except service against the state, which
28 shall be in accordance with Civil Rule 4(c)(7) and (8). Copies of the
29 summons and complaint shall be mailed by the district judge, magistrate

1 or clerk for delivery only to the party to whom the summons is directed.
2 A delivery receipt returnable to the district court shall be required
3 and must be signed by the party to whom the summons is directed. All
4 returned delivery receipts shall be attached to the copy of the summons
5 retained by the court.
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