

Introduced: 4/27/79  
Referred: Health, Education &  
Social Services and Judiciary

1 IN THE HOUSE

BY METCALFE

2 HOUSE BILL NO. 483

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act exempting charitable activities from govern-  
7 mental regulation; and providing for an effective  
8 date."

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

10 \* Section 1. The legislature finds that although regulation of private  
11 activity by governmental agencies is generally necessary to protect the  
12 public health, safety and welfare, regulation often has the effect of reduc-  
13 ing or eliminating charitable efforts in the private sector. It is unrealis-  
14 tic to expect that providers of charity will be willing to meet health and  
15 safety codes as a condition of providing the service. The charity is often  
16 discontinued or abandoned, and the recipients either lose the aid or turn to  
17 the government for assistance. The intent of the legislature in this Act is  
18 to insure that pure charity is not stifled by governmental regulation.

19 \* Sec. 2. AS 01.10 is amended by adding a new section to read:

20 MISCELLANEA.

21 Sec. 01.10.120. CHARITABLE ACTIVITIES EXEMPT FROM REGULATION.

22 Except as specifically authorized by law, state statutes and local  
23 ordinances protecting the public health, safety and welfare do not apply  
24 to an activity, property or person not supported by public funds that is  
25 directly associated with the unconditional giving of goods or services  
26 during the conduct of that activity.

27 \* Sec. 3. AS 29.48.035 is amended by adding a new subsection to read:

28 (d) A municipality may not regulate activities directly associated  
29 with the unconditional gift of goods or services to the public unless

1 those activities are supported by public funds.  
2 \* Sec. 4. AS 29.13.100 is amended by adding a new paragraph to read:  
3 (39) AS 29.48.035(d) (exemption of charitable activities from  
4 regulation)  
5 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-  
6 070(c).

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