

Introduced: 3/13/81
Referred: Judiciary

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO. 283

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to offers of judgment."

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

8 * Section 1. AS 09.30.055 is amended to read:

9 Sec. 09.30.055. OFFERS OF JUDGMENT. On or before the 60th day
10 following the filing of an answer in a civil action, and on the fifth
11 day following the day discovery closes as ordered by the court, either
12 the party making a claim or the party defending against a claim may
13 serve upon the adverse party an offer to allow judgment to be entered
14 in complete satisfaction of the claim for the money or property or to
15 the effect specified in his offer, with cost then accrued. If within
16 10 days after the service of the offer the adverse party serves written
17 notice that the offer is accepted, either party may then file the offer
18 and notice of acceptance together with proof of service, and the clerk
19 shall enter judgment. An offer not accepted within 10 days is con-
20 sidered withdrawn and evidence of that offer is not admissible except
21 in a proceeding to determine the form of judgment after verdict. If
22 the judgment finally entered on the claim as to which an offer has been
23 made under this section is not more favorable to the offeree than the
24 offer, the interest awarded under AS 45.45.010(a) and accrued up to the
25 date judgment is entered shall be adjusted as follows:

26 (1) if the offeree is the party making the claim, the
27 interest rate shall be reduced [INCREASED] by two percent a year;

28 (2) if the offeree is the party defending against the claim,
29 the interest rate shall be increased [REDUCED] by two percent a year.