

Offered: 3/25/87
Referred: Rules

wo0587hb

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 88 (Judiciary) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to private and class actions under
7 the Alaska Unfair Trade Practices and Consumer Pro-
8 tection Act."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 45.50.531(a) is amended to read:
11 (a) A person who [PURCHASES OR LEASES GOODS OR SERVICES AND
12 THEREBY] suffers an ascertainable loss of money or property [, REAL OR
13 PERSONAL,] as a result of another person's act or practice declared
14 unlawful by AS 45.50.471 [,] may bring a civil action [IN THE JUDICIAL
15 DISTRICT IN WHICH THE SELLER OR LESSOR RESIDES OR HAS THE PRINCIPAL
16 PLACE OF BUSINESS OR IS DOING BUSINESS,] to recover actual damages or
17 \$200, whichever is greater. The court [JURY OR, IF THE ACTION IS
18 TRIED WITHOUT A JURY, THE JUDGE] may, in cases of wilful violation,
19 award up to three times the actual damages sustained. The [, AND IN
20 ALL CASES THE] court may provide other [EQUITABLE] relief it considers
21 necessary and [OR] proper.
22 * Sec. 2. AS 45.50.531(g) is repealed and reenacted to read:
23 (g) In an action brought under this chapter, the court may award
24 the prevailing party all or a portion of the actual costs and attorney
25 fees incurred by the party.
26 * Sec. 3. AS 45.50.531(h) is repealed and reenacted to read:
27 (h) If the basis for the action is the fault of the manufacturer
28 or supplier of the merchandise, the manufacturer or supplier who is at
29 fault is liable for the damages awarded against the retailer under

1 **this chapter.**

2 *** Sec. 4. AS 45.50.531(b) and (d) are repealed.**