

Original sponsor: Rules/Governor

1 IN THE HOUSE
2 CS FOR HOUSE BILL NO. 406 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to immunity for the decision to take
7 or not to take an intoxicated or incapacitated person
8 into protective custody; and providing for an effective
9 date."
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
11 * Section 1. AS 47.37.170(g) is repealed and reenacted to read:
12 (g) A person may not bring a civil or criminal action based on
13 the decision of a peace officer or member of the emergency service
14 patrol to take or not to take an intoxicated or incapacitated person
15 into protective custody or to release a person from protective custody
16 as provided in this section, unless the decision is made maliciously.
17 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).