

1 IN THE HOUSE

BY ZAWACKI

2

HOUSE BILL NO. 513

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act requiring reports concerning civil cases  
7 involving personal injury; and providing for an  
8 effective date."

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

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\* Section 1. LEGISLATIVE FINDINGS. It would be in the public interest  
11 for the legislature to accumulate data related to settlements, awards, and  
12 costs associated with personal injury cases in the state in order to pro-  
13 vide information that the legislature can use when revising laws related to  
14 civil liabilities and insurance regulation.

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\* Sec. 2. AS 08.08 is amended by adding a new section to article 1 to  
16 read:

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Sec. 08.08.025. CIVIL LITIGATION REPORTS. (a) An attorney

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licensed in this state who represents a plaintiff in a case in which a  
19 tort causing personal injury is alleged shall submit a report to the  
20 Board of Governors of the Alaska Bar Association concerning that case  
21 within 30 days after the case is closed. The report must include the  
22 information required on the form prepared by the Board of Governors  
23 under (b) of this section.

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(b) The Board of Governors shall prepare a form for use by  
25 attorneys under (a) of this section. The form must require detailed  
26 information about the case, including information about injuries;  
27 medical expenses; collateral sources of compensation; the amount of  
28 award or settlement; the amount and type of costs involved; the types  
29 of damages awarded, including economic damages, punitive damages, and

1 damages for pain and suffering; compensation received by the attorney,  
2 including compensation awarded by the court; and total time spent by  
3 the attorney on the case. The Board of Governors shall consult with  
4 the Legislative Budget and Audit Committee when preparing the form.

5 (c) The Board of Governors shall annually, by November 1, pro-  
6 vide to the Legislative Budget and Audit Committee copies of the  
7 reports filed by attorneys under (a) of this section.

8 (d) An attorney who fails to file a report required under (a) of  
9 this section or who knowingly makes a false statement or omits a fact  
10 in a report required under (a) of this section may be fined under  
11 regulations adopted by the Board of Governors. The fine may not  
12 exceed \$15,000 per violation nor be less than \$1,000 per violation.

13 \* Sec. 3. AS 24.20 is amended by adding a new section to read:

14 Sec. 24.20.207. CIVIL LITIGATION REPORTS. (a) The Legislative  
15 Budget and Audit Committee shall prepare a report that summarizes the  
16 civil litigation data submitted to it by the Board of Governors of the  
17 Alaska Bar Association under AS 08.08.025.

18 (b) By February 1 of each year, the committee shall issue the  
19 summary report required under (a) of this section and any additional  
20 analysis of the data and send a copy of the summary and analysis to

21 (1) the president of the senate and the speaker of the  
22 house of representatives;

23 (2) the governor;

24 (3) the director of the division of insurance;

25 (4) the National Association of Insurance Commissioners;

26 and

27 (5) the National Conference of State Legislatures.

28 (c) A copy of the summary and analysis prepared under this  
29 section shall be available to a member of the public for a price that

1 equals the cost of printing or copying.

2 \* Sec. 4. This Act takes effect immediately under AS 01.10.070(c).