

Offered: 4/25/88  
Referred: Rules

5-1484X

Original sponsor: Duncan

1 IN THE SENATE BY THE JUDICIARY COMMITTEE  
2 CS FOR SENATE BILL NO. 448 (Judiciary)  
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 civil liability of certain volun-  
7 teers."  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
9 \* Section 1. AS 09.65 is amended by adding a new section to read:  
10 Sec. 09.65.098. CIVIL LIABILITY OF CERTAIN VOLUNTEERS. (a) A  
11 person working as a volunteer for the state, for a municipality, or  
12 for a nonprofit entity is not liable for civil damages as a result of  
13 an act or omission while acting in good faith and within the person's  
14 official functions and duties.  
15 (b) This section does not preclude liability for civil damages  
16 as a result of gross negligence, recklessness, or intentional miscon-  
17 duct.  
18 (c) This section does not affect  
19 (1) a civil action brought by the state, a municipality, or  
20 a nonprofit entity against, respectively, a volunteer of the state,  
21 the municipality, or the entity;  
22 (2) the liability of the state, a municipality, or a non-  
23 profit entity with respect to injury caused to a person.  
24 (d) In this section,  
25 (1) "municipality" has the meaning given in AS 01.10.060  
26 and includes a public corporation established by a municipality;  
27 (2) "nonprofit entity" means an entity  
28 (A) incorporated under AS 10.20; or  
29 (B) exempt from taxation under 26 U.S.C. 501(c)(3)

1 (Internal Revenue Code of 1954);

2 (3) "volunteer" means a person who receives financial  
3 consideration of not more than \$500 a year, not including reimburse-  
4 ment for expenses actually incurred, for services performed for the  
5 state, a municipality, or a nonprofit entity.