

Introduced: 2/15/89  
Referred: Health, Education &  
Social Services, Labor & Commerce  
and Judiciary

6-0752A

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2

HOUSE BILL NO. 178

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to civil liability and uninsured  
7 property losses related to foster children."

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. 09.65.093. CIVIL LIABILITY RELATED TO FOSTER CARE. (a)  
11 Notwithstanding other provisions of law, the foster parent, a state  
12 employee, and a representative of the state are not liable for civil  
13 damages as a result of

14 (1) acts or omissions by a minor placed in the care of the  
15 foster parent under AS 47; or

16 (2) negligent acts or omissions by the foster parent, state  
17 employee, or representative of the state that result in harm to a  
18 minor placed in the care of the foster parent under AS 47.

19 (b) This section does not preclude liability for civil damages  
20 as a result of gross negligence or reckless or intentional misconduct  
21 of a foster parent, state employee, or representative of the state.

22 \* Sec. 2. AS 47.35 is amended by adding a new section to read:

23 Sec. 47.35.110. UNINSURED PROPERTY LOSS. (a) The state shall  
24 reimburse a licensed foster parent for the uninsured loss of, or  
25 uninsured damage to, tangible property under the lawful control of a  
26 foster parent to the extent that the loss or damage exceeds \$100 if  
27 the loss or damage resulted from the intentional misconduct of a child  
28 in the custody of the state who was placed in the care of the foster  
29 parent under this title.

1 (b) Under the conditions described in (a) of this section, the  
2 state may reimburse a foster parent for an uninsured loss or uninsured  
3 damage that does not exceed \$100.