

BY REP. KOPONEN

1 IN THE HOUSE

2

HOUSE BILL NO. 555

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to confidential treatment of the
7 records of certain civil actions."

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. 09.65.065. CONFIDENTIAL TREATMENT OF CERTAIN RECORDS RELAT-
11 ING TO PUBLIC INTEREST LITIGATION. (a) In a civil action, except as
12 otherwise specifically provided by law, the court may approve a
13 settlement agreement or enter an order or judgment that directs or
14 permits court personnel or the parties to seal the records of the
15 litigation or otherwise to treat the records and results of the
16 litigation as confidential only if the court determines that the civil
17 action does not constitute public interest litigation.

18 (b) In this section, "public interest litigation" means litiga-
19 tion that

20 (1) has as its subject the definition, vindication, or
21 execution of a significant public policy or the assertion of an indi-
22 vidual right that is protected by the Constitution of the United
23 States or the constitution of the state; and

24 (2) was instituted principally to affect or yield an impor-
25 tant benefit to substantial numbers of people other than the parties
26 to the litigation.