

Amended: 5/6/89

6-0197M

Offered: 5/2/89

Referred: Rules

Original sponsors: Halford, Kelly,
Faiks, and Jones

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 66 (Judiciary) am H
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 immunity for treatment of intoxi-
7 cated or incapacitated persons; and providing for an
8 effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. INTENT. It is the intent of the legislature that the
11 immunity granted under this Act should not lower the duty imposed on a
12 peace officer to fully enforce the laws of the state, including the duty to
13 take a person incapacitated by alcohol into protective custody imposed
14 under AS 47.37.170(b).
15 * Sec. 2. AS 47.37.170(g) is repealed and reenacted to read:
16 (g) A person may not bring an action for damages based on the
17 decision under this section to take or not to take an intoxicated
18 person or a person incapacitated by alcohol into protective custody,
19 unless the action is for damages caused by gross negligence or inten-
20 tional misconduct.
21 * Sec. 3. This Act applies to causes of action that accrue on or after
22 the effective date of this Act.
23 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).