

Introduced: 3/17/89
Referred: Judiciary

6-0666A

1 IN THE SENATE

BY DUNCAN

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SENATE BILL NO. 228

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - FIRST SESSION

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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, a municipality, or a
12 nonprofit entity is not liable for civil damages occurring as a result
13 of an act or omission while acting in good faith and within the per-
14 son's functions and duties as a volunteer.

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 against a volunteer
20 for the state, a municipality against a volunteer for the municipa-
21 lity, or a nonprofit entity against a volunteer for 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.