

**SENATE BILL NO. 101**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY THE SENATE JUDICIARY COMMITTEE BY REQUEST**

**Introduced: 2/1/91**  
**Referred: Judiciary and Finance**

**A BILL**

**FOR AN ACT ENTITLED**

**1 "An Act relating to the jurisdiction of the district court."**

**2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

**3 \* Section 1. AS 09.50.250 is amended to read:**

**4           Sec. 09.50.250. ACTIONABLE CLAIMS AGAINST THE STATE. A person or**  
**5           corporation having a contract, quasi-contract, or tort claim against the state may bring an action**  
**6           against the state [IN THE SUPERIOR COURT]. A person who may present the claim under**  
**7           AS 44.77 may not bring an action under this section except as set out in AS 44.77.040(c). A**  
**8           person who may bring an action under AS 36.30.560 - 36.30.695 may not bring an action under**  
**9           this section except as set out in AS 36.30.685. However, an action may not be brought under**  
**10          this section if the claim**

**11                   (1) is an action for tort, and is based upon an act or omission of an employee of**  
**12           the state, exercising due care, in the execution of a statute or regulation, whether or not the**  
**13           statute or regulation is valid; or is an action for tort, and based upon the exercise or performance**  
**14           or the failure to exercise or perform a discretionary function or duty on the part of a state agency**

1 or an employee of the state, whether or not the discretion involved is abused;

2 (2) is for damages caused by the imposition or establishment of a quarantine by  
3 the state;

4 (3) arises out of assault, battery, false imprisonment, false arrest, malicious  
5 prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with  
6 contract rights; or

7 (4) arises out of the use of an ignition interlock device certified under  
8 AS 33.05.020(c).

9 \* Sec. 2. AS 22.15.050 is amended to read:

10 Sec. 22.15.050. ACTIONS NOT WITHIN CIVIL JURISDICTION. The jurisdiction of  
11 the district courts does not extend to

12 (1) an action in which the title to real property is in question;

13 (2) an action for false imprisonment, libel, slander, malicious prosecution, or  
14 actions of an equitable nature, ~~{(} except as otherwise provided by law {)}~~, OR ACTIONS IN  
15 WHICH THE STATE IS A DEFENDANT].