



# LAWS OF ALASKA

1989

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**Source**

HCS CSSB 66(Jud) am H

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**Chapter No.**

68

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**AN ACT**

Relating to immunity for treatment of intoxicated or incapacitated persons; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

Approved by the Governor: May 30, 1989  
Actual Effective Date: May 31, 1989

AN ACT

Relating to immunity for treatment of intoxicated or incapacitated persons; and providing for an effective date.

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\* Section 1. INTENT. It is the intent of the legislature that the immunity granted under this Act should not lower the duty imposed on a peace officer to fully enforce the laws of the state, including the duty to take a person incapacitated by alcohol into protective custody imposed under AS 47.37.170(b).

\* Sec. 2. AS 47.37.170(g) is repealed and reenacted to read:

(g) A person may not bring an action for damages based on the decision under this section to take or not to take an intoxicated person or a person incapacitated by alcohol into protective custody, unless the action is for damages caused by gross negligence or intentional misconduct.

\* Sec. 3. This Act applies to causes of action that accrue on or after the effective date of this Act.

\* Sec. 4. This Act takes effect immediately under AS 01.10.070(c).