



LAWS OF ALASKA

2014

Source
HCS SB 200(RLS)

Chapter No.

AN ACT

Relating to an action for the death of an unborn child in certain circumstances.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to an action for the death of an unborn child in certain circumstances.

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3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 SHORT TITLE. This Act may be known as Jackson's Law.

6 * **Sec. 2.** AS 09.15 is amended by adding a new section to read:

7 **Sec. 09.15.018. Action for wrongful death of an unborn child;**
8 **applicability.** (a) A parent of an unborn child may maintain an action as plaintiff for
9 the death of an unborn child that was caused by the wrongful act or omission of
10 another.

11 (b) This section does not apply to acts or omissions that

12 (1) cause the death of an unborn child if those acts or omissions are
13 committed during a legal abortion to which the pregnant woman or a person
14 authorized by law to act on her behalf consents or for which consent is implied by law;

15 (2) are committed under usual and customary standards of medical

1 practice during diagnostic testing, during therapeutic treatment, or while assisting a
2 pregnancy; or

3 (3) are committed by a pregnant woman against herself and her unborn
4 child.

5 (c) This section does not limit any other cause of action that a parent may
6 maintain for the death of an unborn child.

7 (d) In this section,

8 (1) "abortion" has the meaning given in AS 18.16.090;

9 (2) "unborn child" has the meaning given in AS 11.81.900.

10 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
11 read:

12 TRANSITION. This Act applies to actions arising from a wrongful act or omission
13 that takes place on or after the effective date of this Act.