



# LAWS OF ALASKA

**2003**

**Source**  
SCS HB 14(STA)

**Chapter No.**  
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## **AN ACT**

Relating to an absence from the state while providing care for a terminally ill family member for purposes of determining eligibility for a permanent fund dividend; 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



## AN ACT

1 Relating to an absence from the state while providing care for a terminally ill family member  
2 for purposes of determining eligibility for a permanent fund dividend; and providing for an  
3 effective date.

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5 \* **Section 1.** AS 43.23.008(a) is amended to read:

6 (a) Subject to (b) and (c) of this section, an otherwise eligible individual who  
7 is absent from the state during the qualifying year remains eligible for a current year  
8 permanent fund dividend if the individual was absent

9 (1) receiving secondary or postsecondary education on a full-time  
10 basis;

11 (2) receiving vocational, professional, or other specific education on a  
12 full-time basis for which, as determined by the Alaska Commission on Postsecondary  
13 Education, a comparable program is not reasonably available in the state;

14 (3) serving on active duty as a member of the armed forces of the

1 United States;

2 (4) serving under foreign or coastal articles of employment aboard an  
3 oceangoing vessel of the United States merchant marine;

4 (5) receiving continuous medical treatment recommended by a  
5 licensed physician or convalescing as recommended by the physician that treated the  
6 illness if the treatment or convalescence is not based on a need for climatic change;

7 (6) providing care for a parent, spouse, sibling, child, or stepchild with  
8 a critical life-threatening illness whose treatment plan, as recommended by the  
9 attending physician, requires travel outside the state for treatment at a medical  
10 specialty complex;

11 (7) providing care for the individual's terminally ill **family member**  
12 [PARENT, SPOUSE, SIBLING, CHILD, OR STEPCHILD];

13 (8) settling the estate of the individual's deceased parent, spouse,  
14 sibling, child, or stepchild, provided the absence does not exceed 220 cumulative days;

15 (9) serving as a member of the United States Congress;

16 (10) serving on the staff of a member from this state of the United  
17 States Congress;

18 (11) serving as an employee of the state in a field office or other  
19 location;

20 (12) accompanying a minor who is absent under (5) of this subsection;

21 (13) accompanying another eligible resident who is absent for a reason  
22 permitted under (1) - (3), (5) - (12), or (14) of this subsection as the spouse, minor  
23 dependent, or disabled dependent of the eligible resident;

24 (14) for any reason consistent with the individual's intent to remain a  
25 state resident, provided the absence or cumulative absences do not exceed

26 (A) 180 days if the individual is not claiming an absence under  
27 (1) - (13) of this subsection;

28 (B) 120 days in addition to any absence or cumulative absences  
29 claimed under (1) or (2) of this subsection if the individual is not claiming an  
30 absence under (3) - (13) of this subsection; or

31 (C) 45 days in addition to any absence or cumulative absences

1                   claimed under (1) - (13) of this subsection.

2    \* **Sec. 2.** AS 43.23.008 is amended by adding a new subsection to read:

3                   (d) For purposes of (a)(7) of this section, "family member" means a person  
4                   who is

5                               (1) legally related to the individual through marriage or guardianship;

6                   or

7                               (2) the individual's sibling, parent, grandparent, son, daughter,  
8                   grandson, granddaughter, uncle, aunt, niece, nephew, or first cousin.

9    \* **Sec. 3.** This Act takes effect January 1, 2004.