

**SENATE CS FOR HOUSE BILL NO. 93(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

**BY THE SENATE JUDICIARY COMMITTEE**

**Offered:  
Referred:**

**Sponsor(s): REPRESENTATIVES HIMSCHOOT, Hannan, Burke, Saddler, Josephson, Bynum**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act changing the residency requirements for hunting, trapping, and sport fishing**  
2 **privileges; and providing for an effective date."**

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

4 **\* Section 1.** AS 16.05.400 is amended by adding a new subsection to read:

5 (d) A person issued a permanent identification card under (b) of this section  
6 may sport fish, hunt, or trap under the identification card only if the person continues  
7 to meet the residency requirements of AS 16.05.415.

8 **\* Sec. 2.** AS 16.05.415(a) is amended to read:

9 (a) In AS 16.05.330 - 16.05.430, a person, except as provided in (c) - (f) of  
10 this section, is a resident if the person

11 (1) is physically present in the state with the intent to remain in the  
12 state indefinitely and to make a home in the state;

13 (2) has maintained the person's domicile in the state for the 12  
14 consecutive months immediately preceding the application for a license;

1                   (3) **has been physically present in the state at all times during the**  
 2                   **12 consecutive months under (2) of this subsection or, if absent, was absent only**  
 3                   **as allowed in AS 43.23.008;**

4                   (4) is not claiming residency in another state, territory, or country; and  
 5                   (5) [(4)] is not obtaining benefits under a claim of residency in another  
 6                   state, territory, or country.

7 \* Sec. 3. AS 16.05.415(e) is amended to read:

8                   (e) A person who is an alien is a resident for the purposes of AS 16.05.330 -  
 9                   16.05.430 if the person

10                   (1) is physically present in the state with the intent to remain in the  
 11                   state indefinitely and to make a home in the state;

12                   (2) has maintained the person's domicile in the state for the 12  
 13                   consecutive months immediately preceding the application for a license;

14                   (3) **has been physically present in the state at all times during the**  
 15                   **12 consecutive months under (2) of this subsection or, if absent, was absent only**  
 16                   **as allowed in AS 43.23.008;**

17                   (4) is not claiming residency in another state, territory, or country; and  
 18                   (5) [(4)] is not obtaining benefits under a claim of residency in another  
 19                   state, territory, or country.

20 \* Sec. 4. AS 16.05.415 is amended by adding a new subsection to read:

21                   (j) The commissioner shall adopt regulations under AS 44.62 (Administrative  
 22                   Procedure Act) for determining the eligibility of an individual for licensure as a  
 23                   resident under this section. The commissioner may require an individual to provide  
 24                   proof of eligibility, and the commissioner may use other information available from  
 25                   other state departments or agencies to determine the eligibility of an individual. The  
 26                   commissioner shall consider all relevant circumstances in determining the eligibility  
 27                   of an individual.

28 \* Sec. 5. This Act takes effect January 1, 2028.