



Senator Scott Jiu Wo Kawasaki

Serving Fairbanks, Fort Wainwright & Badger Road

Senate Bill 167 Version I PFD Reimbursement for Wrongfully Convicted Individuals Sectional Analysis

Section 1:

Amends Subsection (d) under AS.43.23.005.

Subsection (d) establishes that an individual is not eligible for a permanent fund dividend for a dividend year when the individual has ever been convicted of murder in the first or second degree under AS 11.41.100 or 11.41.110 or a similar law in another jurisdiction.

Section 2:

Adds subsections (i) and (j) under AS.43.23.005.

Subsection (i) establishes an individual who was previously ineligible to receive a permanent fund dividend for a dividend year due to being incarcerated becomes eligible for those past dividends for the years they were incarcerated if their charges are vacated and reversed and those charges are later dismissed, or the individual is retried and found not guilty. Subsection (j) sets the time frame for an individual who meets the requirements of subsection (i) to be able to apply for their past PFD payments, no later than a year after the dismissal of their charges or a not guilty finding.

Section 3:

Amends AS 43.23.025(a)

Which deals with the calculation of the annual value of the PFD, under subsection (C), which deals with different situations where prior year dividends need to be paid out, to include subsection (i) of this bill, ensuring that the compensation of the permanent fund dividends to individuals who had their convictions overturned will be factored into the calculation of the annual PFD values.

Section 4:

Amends subsection (a) 43.23.028

Subsection A establishes that the individual has been convicted of murder in the first or second degree under AS.11.41.110 or 11.41.110 or a similar law in another jurisdiction, receive a statement that the individual is not eligible for a dividend by October 1 of each year.

Section 5:

Amends subsection (a) under AS.43.23.048

Subsection (a) corrects the funding source for the restorative justice account within the dividend fund. It mandates that the commissioner transfer an amount every fiscal year equal to the total value of dividends that would have been paid to individuals who were disqualified under specific criminal criteria AS.43.23.005(d)(1) or (2).



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Section 6:

Adds a new section to the uncodified law of the state of Alaska, which states that section 1 of this act applies to eligibility for a permanent fund dividend (10 paid in 2027, thereafter. (2) of an individual convicted of murder in the first or second degree under AS 11.41.110 or 11.41.110 or similar law in another jurisdiction on or after the effective date of this Act.

Section 7:

Adds a new section to the uncodified law of the State of Alaska which states that those who are eligible for PFD compensation as defined under Section 1 of this bill, but had their convictions overturned before this bill is enacted will still be eligible for PFD compensation if they apply within 1 year of this bill's effective date.