

**HOUSE BILL NO. 209**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE FIELDS**

**Introduced: 4/28/25**

**Referred: Judiciary, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to the Alaska permanent fund; relating to income of the Alaska**  
2   **permanent fund; relating to the amount available for appropriation and appropriations**  
3   **from the earnings reserve account; relating to the permanent fund dividend; and**  
4   **providing for an effective date."**

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

6    \* **Section 1.** AS 37.13.140(a) is amended to read:

7           (a) [NET INCOME OF THE FUND INCLUDES INCOME OF THE  
8           EARNINGS RESERVE ACCOUNT ESTABLISHED UNDER AS 37.13.145.] Net  
9           income of the fund shall be computed annually as of the last day of the fiscal year in  
10          accordance with generally accepted accounting principles, excluding any unrealized  
11          gains or losses. [INCOME AVAILABLE FOR DISTRIBUTION EQUALS 21  
12          PERCENT OF THE NET INCOME OF THE FUND FOR THE LAST FIVE FISCAL  
13          YEARS, INCLUDING THE FISCAL YEAR JUST ENDED, BUT MAY NOT  
14          EXCEED NET INCOME OF THE FUND FOR THE FISCAL YEAR JUST ENDED

1 PLUS THE BALANCE IN THE EARNINGS RESERVE ACCOUNT DESCRIBED  
2 IN AS 37.13.145.]

3 \* **Sec. 2.** AS 37.13.145(b) is amended to read:

4 (b) **Each** [AT THE END OF EACH] fiscal year, the **legislature may**  
5 **appropriate** [CORPORATION SHALL TRANSFER] from the earnings reserve  
6 account to the dividend fund established under AS 43.23.045 **the amount necessary**  
7 **to distribute a dividend of \$1,000 to each eligible resident, as determined under**  
8 **AS 43.23.005 - 43.23.015** [, 50 PERCENT OF THE INCOME AVAILABLE FOR  
9 DISTRIBUTION UNDER AS 37.13.140].

10 \* **Sec. 3.** AS 37.13.145(c) is amended to read:

11 (c) After the **appropriations** [TRANSFER] under (b) and [AN  
12 APPROPRIATION UNDER] (e) of this section, the **legislature may appropriate**  
13 [CORPORATION SHALL TRANSFER] from the earnings reserve account to the  
14 principal of the fund an amount sufficient to offset the effect of inflation on the  
15 principal of the fund during that fiscal year. However, none of the amount  
16 **appropriated** [TRANSFERRED] shall be applied to increase the value of that portion  
17 of the principal attributed to the settlement of State v. Amerada Hess, et al., 1JU-77-  
18 847 Civ. (Superior Court, First Judicial District) on July 1, 2004. The corporation shall  
19 calculate the amount to **appropriate** [TRANSFER] to the principal under this  
20 subsection by

21 (1) computing the average of the monthly United States Consumer  
22 Price Index for all urban consumers for each of the two previous calendar years;

23 (2) computing the percentage change between the first and second  
24 calendar year average; and

25 (3) applying that rate to the value of the principal of the fund on the  
26 last day of the fiscal year just ended, including that portion of the principal attributed  
27 to the settlement of State v. Amerada Hess, et al., 1JU-77-847 Civ. (Superior Court,  
28 First Judicial District).

29 \* **Sec. 4.** AS 37.13.145(d) is amended to read:

30 (d) Notwithstanding (b) of this section, income earned on money awarded in  
31 or received as a result of State v. Amerada Hess, et al., 1JU-77-847 Civ. (Superior

Court, First Judicial District), including settlement, summary judgment, or adjustment to a royalty-in-kind contract that is tied to the outcome of this case, or interest earned on the money, or on the earnings of the money shall be treated in the same manner as other income of the Alaska permanent fund, except that it is not available for appropriation [DISTRIBUTION] to the dividend fund under (b) of this section, for an appropriation [TRANSFERS] to the principal under (c) of this section, or for an appropriation under (e) of this section, and shall be annually deposited into the Alaska capital income fund (AS 37.05.565).

\* **Sec. 5.** AS 37.13.145(f) is amended to read:

(f) The combined total of appropriations [THE TRANSFER] under (b) [OF THIS SECTION] and [AN APPROPRIATION UNDER] (e) of this section may not exceed the amount available for appropriation under AS 37.13.140(b).

\* **Sec. 6.** AS 37.13.300(c) is amended to read:

(c) Net income from the mental health trust fund may not be included in the computation of net income or market value available for [DISTRIBUTION OR] appropriation under AS 37.13.140(b) [AS 37.13.140].

\* **Sec. 7.** AS 43.23.005(a) is amended to read:

(a) An individual is eligible to receive one permanent fund dividend each year [IN AN AMOUNT TO BE DETERMINED UNDER AS 43.23.025] if the individual

- (1) applies to the department;
- (2) is a state resident on the date of application;
- (3) was a state resident during the entire qualifying year;
- (4) has been physically present in the state for at least 72 consecutive hours at some time during the prior two years before the current dividend year;
- (5) is
  - (A) a citizen of the United States;
  - (B) an alien lawfully admitted for permanent residence in the United States;
  - (C) an alien with refugee status under federal law; or
  - (D) an alien that has been granted asylum under federal law;
- (6) was, at all times during the qualifying year, physically present in

1 the state or, if absent, was absent only as allowed in AS 43.23.008; [AND]

2 (7) was in compliance during the qualifying year with the military  
3 selective service registration requirements imposed under 50 U.S.C. App. 453  
4 (Military Selective Service Act), if those requirements were applicable to the  
5 individual, or has come into compliance after being notified of the lack of compliance;  
6 and

7 (8) for the qualifying year,

8 (A) is exempt from filing a federal income tax return  
9 because the individual has less income than is required to file a federal  
10 income tax return; or

11 (B) has a federal adjusted gross income of

12 (i) \$50,000 or less for an individual who filed a  
13 federal income tax return as single, married filing separately, head  
14 of household, or qualifying surviving spouse;

15 (ii) \$100,000 or less of combined income for an  
16 individual who filed a federal income tax return as married filing  
17 jointly.

18 \* **Sec. 8.** AS 43.23.028(a) is amended to read:

19 (a) **The** [BY OCTOBER 1 OF EACH YEAR, THE COMMISSIONER  
20 SHALL GIVE PUBLIC NOTICE OF THE VALUE OF EACH PERMANENT FUND  
21 DIVIDEND FOR THAT YEAR AND NOTICE OF THE INFORMATION  
22 REQUIRED TO BE DISCLOSED UNDER (3) OF THIS SUBSECTION. IN  
23 ADDITION, THE] stub attached to each individual dividend disbursement advice  
24 must

25 (1) disclose the amount of each dividend attributable to income earned  
26 by the permanent fund from deposits to that fund required under art. IX, sec. 15,  
27 Constitution of the State of Alaska;

28 (2) disclose the amount of each dividend attributable to income earned  
29 by the permanent fund from appropriations to that fund and from amounts added to  
30 that fund to offset the effects of inflation;

31 (3) [DISCLOSE THE AMOUNT BY WHICH EACH DIVIDEND

1 HAS BEEN REDUCED DUE TO EACH APPROPRIATION FROM THE  
 2 DIVIDEND FUND, INCLUDING AMOUNTS TO PAY THE COSTS OF  
 3 ADMINISTERING THE DIVIDEND PROGRAM AND THE HOLD HARMLESS  
 4 PROVISIONS OF AS 43.23.240;

5 (4)] include a statement that an individual is not eligible for a dividend  
 6 when,

7 (A) during the qualifying year, the individual was convicted of  
 8 a felony;

9 (B) during all or part of the qualifying year, the individual was  
 10 incarcerated as a result of the conviction of a

11 (i) felony; or

12 (ii) misdemeanor if the individual has been convicted of  
 13 a prior felony or two or more prior misdemeanors;

14 (4) [(5)] include a statement that the legislative purpose for making  
 15 individuals listed under (3) [(4)] of this subsection ineligible is to

16 (A) provide funds for services for and payments to crime  
 17 victims and operating costs of the Violent Crimes Compensation Board;

18 (B) provide funds to pay restitution owed to crime victims;

19 (C) provide funds for grants to nonprofit organizations for  
 20 services for crime victims and for mental health services and substance abuse  
 21 treatment for offenders;

22 (D) provide funds for the office of victims' rights;

23 (E) provide funds to the Council on Domestic Violence and  
 24 Sexual Assault for grants for the operation of domestic violence and sexual  
 25 assault programs; and

26 (F) obtain reimbursement for some of the costs imposed on the  
 27 Department of Corrections related to incarceration or probation of those  
 28 individuals;

29 (5) [(6)] disclose the total amount that would have been paid during the  
 30 previous fiscal year to individuals who were ineligible to receive dividends under  
 31 AS 43.23.005(d) if they had been eligible;

1                    **(6)** [(7)] disclose the total amount transferred or appropriated for the  
2                    current fiscal year under AS 43.23.048 for each of the accounts, funds, and agencies  
3                    listed in AS 43.23.048.

4                    \* **Sec. 9.** AS 43.23.045(d) is amended to read:

5                    (d) Unless specified otherwise in an appropriation act, the unexpended and  
6                    unobligated balance of an appropriation to implement this chapter lapses into the  
7                    dividend fund on June 30 of the fiscal year for which the appropriation was made and  
8                    shall be used in [DETERMINING THE AMOUNT OF AND] paying the subsequent  
9                    year's dividend [AS PROVIDED IN AS 43.23.025(a)(1)(B)].

10                  \* **Sec. 10.** AS 43.23.025(a) and 43.23.028(b) are repealed.

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

13                  APPLICABILITY. AS 37.13.145(b), as amended by sec. 2 of this Act,  
14                  AS 43.23.005(a), as amended by sec. 7 of this Act, and AS 43.23.028(a), as amended by sec.  
15                  8 of this Act, apply to the permanent fund dividend 2025 qualifying year for the 2026  
16                  dividend year and thereafter.

17                  \* **Sec. 12.** This Act takes effect immediately under AS 01.10.070(c).