



Senator Scott Jiu Wo Kawasaki

Serving Fairbanks, Fort Wainwright & Badger Road

Senate Bill – PFD Reimbursement for Wrongfully Convicted Individuals

Sectional Analysis

Section 1:

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 to become 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 to no later than a year after the dismissal of their charges or a not guilty finding.

Section 2:

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 3:

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.