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Nauman  
2/20/23

**CS FOR HOUSE BILL NO. 25(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:  
Referred:

Sponsor(s): REPRESENTATIVE STORY

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act allowing certain members of the uniformed services, spouses and dependents of  
2 certain members of the uniformed services, and individuals attending certain merchant  
3 marine vocational programs to remain eligible for the permanent fund dividend during  
4 absences from the state; allowing, in certain cases, an otherwise eligible individual to file  
5 for an unclaimed permanent fund dividend if the parent, guardian, or authorized  
6 representative failed to claim a dividend on behalf of the individual during the  
7 application period; and providing for an effective date."

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

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

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

13 (1) receiving secondary or postsecondary education on a full-time

basis;

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

(3) serving on active duty as a member of the **uniformed services** [ARMED FORCES] of the United States or accompanying, as that individual's spouse, minor dependent, or disabled dependent, an individual who is

(A) serving on active duty as a member of the **uniformed services** [ARMED FORCES] of the United States; and

(B) eligible for a current year dividend;

(4) serving under foreign or coastal articles of employment aboard an oceangoing vessel of the United States merchant marine **or attending a vocational program that**

**(A) trains students for a career in the United States merchant marine in an engine, deck, or steward department;**

**(B) provides seagoing service that meets the requirements of the United States Coast Guard for United States merchant marine credentialing; and**

**(C) is approved by the United States Coast Guard;**

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

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

(7) providing care for the individual's terminally ill family member;

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

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

(10) serving on the staff of a member from this state of the United

States Congress;

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

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

(13) accompanying another eligible resident who is absent for a reason permitted under (1), (2), (5) - (12), (16), or (17) of this subsection as the spouse, minor dependent, or disabled dependent of the eligible resident;

(14) serving as a volunteer in the federal peace corps program;

(15) because of training or competing as a member of the United States Olympic Team or a United States national team for an Olympic sport;

(16) participating for educational purposes in a student fellowship sponsored by the United States Department of Education or by the United States Department of State;

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

(A) 180 days in addition to any absence or cumulative absences claimed under (3) of this subsection if the individual is not claiming an absence under (1), (2), or (4) - (16) of this subsection;

(B) 120 days in addition to any absence or cumulative absences claimed under (1) - (3) of this subsection if the individual is not claiming an absence under (4) - (16) of this subsection but is claiming an absence under (1) or (2) of this subsection; or

(C) 45 days in addition to any absence or cumulative absences claimed under (1) - (16) of this subsection if the individual is claiming an absence under (4) - (16) of this subsection.

\* **Sec. 2.** AS 43.23.008(f) is amended to read:

(f) In [FOR PURPOSES OF (a)(7) OF] this section,

(1) "family member" means a person who is

(A) [(1)] legally related to the individual through marriage or guardianship; or

(B) [(2)] the individual's sibling, parent, grandparent, son,

daughter, grandson, granddaughter, uncle, aunt, niece, nephew, or first cousin;

**(2) "uniformed service" means the Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force, and the Commissioned Corps of the National Oceanic and Atmospheric Administration and Public Health Services.**

\* **Sec. 3.** AS 43.23.011 is amended by adding a new subsection to read:

(d) An otherwise eligible individual may apply for a current year dividend after March 31 and before October 1 of that year if the individual was eligible during the application period under (a) of this section and the individual's parent, guardian, or other authorized representative failed to claim a dividend on behalf of the individual because the parent, guardian, or authorized representative had a medical emergency that prevented the parent, guardian, or authorized representative from applying by March 31.

\* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. AS 43.23.008(a), as amended by sec. 1 of this Act, AS 43.23.008(f), as amended by sec. 2 of this Act, and AS 43.23.011(d), added by sec. 3 of this Act, apply to the permanent fund dividend 2024 qualifying year for the 2025 dividend year and thereafter.

\* **Sec. 5.** This Act takes effect January 1, 2024.