

**HOUSE BILL NO. 152**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE BY REQUEST

Introduced: 2/3/95

Referred: Health, Education and Social Services, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to child support for children who are not minors; and providing  
2 for an effective date."

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

4 \* **Section 1.** AS 25.24.160(a)(1) is amended to read:

5 (1) for the payment by either or both parties of an amount of money  
6 or goods, in gross or installments that may include cost-of-living adjustments, as may  
7 be just and proper for the parties to contribute toward the nurture and education of  
8 their children, **including unmarried 18 year old children who are actively pursuing**  
9 **a high school diploma or equivalent level of technical or vocational training and**  
10 **living as dependents with the person receiving child support or a designee of that**  
11 **person**, and the court may order the parties to arrange with their employers for an  
12 automatic payroll deduction each month or each pay period, if the period is other than  
13 monthly, of the amount of the installment; if the employer agrees, the installment shall  
14 be forwarded by the employer to the clerk of the superior court that entered the

1 judgment or to the court trustee, and the amount of the installment is exempt from  
2 execution;

3 \* **Sec. 2.** AS 25.24.170(a) is repealed and reenacted to read:

4 (a) Subject to AS 25.20.110, any time after judgment, the court, upon the  
5 motion of either party, may set aside, alter, or modify so much of the judgment as may  
6 provide for alimony, for the appointment of trustees for the care and custody of the  
7 children, for the nurture and education of the children, or for the maintenance of either  
8 party to the action. The court may modify a child support order to provide for the  
9 care, nurture, and education of unmarried 18 year old children of the marriage while  
10 they are actively pursuing a high school diploma or an equivalent level of technical  
11 or vocational training and living as dependents with the person receiving child support  
12 or a designee of that person.

13 \* **Sec. 3.** AS 25.24.200(a) is amended to read:

14 (a) A husband and wife together may petition the superior court for the  
15 dissolution of their marriage under AS 25.24.200 - 25.24.260 if the following  
16 conditions exist at the time of filing the petition:

17 (1) incompatibility of temperament has caused the irremediable  
18 breakdown of the marriage;

19 (2) if there are unmarried children of the marriage under the age of 19  
20 or the wife is pregnant, [AND] the spouses have agreed on which spouse or third party  
21 is to be awarded custody of each minor child of the marriage and the extent of  
22 visitation, including visitation by grandparents and other persons if in the child's best  
23 interests, and support to be provided on [THE CHILDREN'S] behalf **of the minor**  
24 **children and any 18 year old children while the 18 year old children are**  
25 **unmarried, actively pursuing a high school diploma or an equivalent level of**  
26 **technical or vocational training, and living as dependents with the person**  
27 **receiving child support or a designee of that person**, whether the payments are to  
28 be made through the child support enforcement agency and the tax consequences of  
29 that agreement;

30 (3) the spouses have agreed as to the distribution of all jointly owned  
31 real and personal property, including retirement benefits, and the payment of spousal

1 maintenance, if any, and the tax consequences resulting from these payments; the  
2 agreement must be fair and just and take into consideration the factors listed in  
3 AS 25.24.160(a)(2) and (4) so that the economic effect of dissolution is fairly  
4 allocated; and

5 (4) the spouses have agreed as to the payment of all unpaid obligations  
6 incurred by either or both of them, and as to payment of obligations incurred jointly  
7 in the future.

8 \* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).