

**HOUSE BILL NO. 481**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Introduced: 4/3/98

Referred: State Affairs, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to application for and payment of permanent fund dividends of  
2 certain deceased individuals; and providing for an effective date."

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

4 \* **Section 1.** AS 43.23.005 is amended by adding a new subsection to read:

5 (h) If an individual who would otherwise have been eligible for a permanent  
6 fund dividend dies after applying for the dividend but before the dividend is paid, the  
7 department shall pay the dividend to a personal representative of the estate or to a  
8 successor claiming personal property under AS 13.16.680. If an individual who would  
9 otherwise have been eligible for a dividend and who did not apply for the dividend  
10 dies during the application period, a personal representative of the estate or a successor  
11 claiming personal property under AS 13.16.680 may apply for and receive the  
12 dividend. Notwithstanding AS 43.23.011, an application for a dividend under this  
13 subsection may be filed during the period that begins January 2 and ends July 31 of  
14 that dividend year.

1 \* **Sec. 2.** AS 43.23.025(a) is amended to read:

2 (a) By October 1 of each year, the commissioner shall determine the value of  
3 each permanent fund dividend for that year by

4 (1) determining the total amount available for dividend payments,  
5 which equals

6 (A) the amount of income of the Alaska permanent fund  
7 transferred to the dividend fund under AS 37.13.145(b) during the current year;

8 (B) plus the unexpended and unobligated balances of prior fiscal  
9 year appropriations that lapse into the dividend fund under AS 43.23.045(d);

10 (C) less the amount necessary to pay dividends from the  
11 dividend fund in the current year under AS 43.23.055(3) and (7);

12 (D) less the amount necessary to pay dividends from the  
13 dividend fund due to eligible applicants who, as determined by the department,  
14 filed for a previous year's dividend by the filing deadline but who were not  
15 included in a previous year's dividend computation;

16 (E) less appropriations from the dividend fund during the  
17 current year, including amounts to pay costs of administering the dividend  
18 program and the hold harmless provisions of AS 43.23.075;

19 (2) determining the number of individuals eligible to receive a dividend  
20 payment for the current year **and the number of estates and successors eligible to**  
21 **receive a dividend payment for the current year under AS 43.23.005(h)**; and

22 (3) dividing the amount determined under (1) of this subsection by the  
23 amount determined under (2) of this subsection.

24 \* **Sec. 3.** PERMANENT FUND DIVIDENDS FOR CERTAIN ESTATES.

25 Notwithstanding provisions relating to application periods, a personal representative of an  
26 estate that, or successor who, under AS 43.23.005(h), added by sec. 1 of this Act, qualifies  
27 for and has not received a dividend for 1997 or 1998, may apply for the dividend during the  
28 1999 application period. The Department of Revenue shall prescribe and furnish an  
29 application form for claiming a dividend under this section.

30 \* **Sec. 4.** Section 1 of this Act is retroactive to January 1, 1997.

31 \* **Sec. 5.** Sections 1, 3, and 4 of this Act take effect immediately under AS 01.10.070(c).

**1** \* **Sec. 6.** Section 2 of this Act takes effect January 1, 1999.